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THE MANILA CHARTER AS AMENDED

WITH WHICH ARE PRINTED SUCH FURTHER LAWS
AS CONCERN THE GOVERNMENT OF
THE CITY OF MANILA

AND

THE REVISED ORDINANCES OF THE CITY OF MANILA

BEING A COMPILATION AND REVISION OF ALL ORDINANCES,
EXCEPT SUCH AS ARE SPECIAL IN NATURE,
IN FORCE JUNE 30, 1908

TOGETHER WITH

CERTAIN SPECIAL ORDINANCES NOT REPEALED AND AN APPENDIX

COMPILED, REVISED, AND ANNOTATED

BY

GEORGE A. MALCOLM

PUBLISHED BY DIRECTION OF THE CITY ATTORNEY UNDER
AUTHORITY OF THE MUNICIPAL BOARD

MANILA
BUREAU OF PRINTING
1908

OFFICIAL REGISTER OF THE CITY OF MANILA, JUNE 30, 1908.

MUNICIPAL BOARD.

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<i>Member</i>	PERCY G. McDONNELL.
<i>Member</i>	ALBERT W. HASTINGS.
<i>Member, ex officio</i>	MIGUEL VELASCO.
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<i>First assistant prosecuting attorney</i>	DIEGO GLORIA.
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<i>Deputy Collector of Internal Revenue</i>	ELLIS CROMWELL.

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Principal assistant engineer..... CLARENCE W. HUBBELL.
Principal assistant engineer..... OWEN L. INGALLS.

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Assistant chief..... FRED M. JAMES.

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Judge..... CHARLES A. LOW.

JUSTICE OF THE PEACE COURT.

Justice of the peace..... JOSÉ MARTINEZ QUINTERO.

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OFFICE OF SHERIFF.

Sheriff, ex officio..... JOSEPH W. McMICKING.
Deputy sheriff JULIUS COHN.

DISBURSING OFFICE.

Disbursing and accounting officer..... ROBERT C. BALDWIN.

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Assistant Director of Health..... DR. A. J. McLAUGHLIN.

CITY SCHOOLS.

Superintendent..... GABRIEL A. O'REILLY.

EXPLANATORY NOTE.

On March 31, 1908, the Municipal Board arranged with the undersigned for the codification of the city ordinances. Later, upon recommendations approved by the Board, the original plan of codification was expanded into one of revision, and there was authorized the compilation of the Manila Charter and the publication of the other matter in the form in which it appears herein.

As a result of the accomplishment of the above plan, this volume contains, in three distinct parts, practically all of the law relating to the government of the city of Manila. Part I includes what might properly be termed the organic laws of the city. Act No. 183, the Manila Charter, obviously the most important of such laws, is printed with repealed sections omitted; amendments inserted or substituted for superseded portions; and obsolete sections or parts of sections appearing in italics within brackets. Other Acts of the Philippine Commission and of Congress which concern the city government are printed either as footnotes of the Charter or are appended thereto. Part II, the Revised Ordinances of the city of Manila, represents the result of municipal legislation from the time of American occupation until the date when popular representation on the Municipal Board became effective. In other words, it contains the live matter of existing general ordinances. In thus repealing all general ordinances and consolidating in one ordinance, divided into consecutive titles, chapters, and sections, the constant aim has been to conform closely to the original text. Nevertheless, for a practical revision, the correction of inconsistencies, variations from Insular laws, bad constructions, and other imperfections, and even the insertion of new matter, has been necessary. Part III is a reprint of the five special ordinances not repealed. Ordinance No. 44, the franchises of the Manila Electric Railroad and Light Company, appears as amended by Ordinance No. 70, all substitutions and insertions being indicated by notes.

The general scheme of compilation and revision has been developed to aid investigation and make reference as easy as possible. For this purpose headnotes of catchwords or phrases are inserted at the beginning of each section of Parts I and II. These are again gathered as digest headings at the beginning of each chapter, as likewise are the chapter headings at the beginning of each title. The headnotes of the Manila Charter are with few exceptions retained as originally enacted. At the end of each section of Part I is inserted the Act and section from which derived, and at the end of each section in Part II reference is made to the original ordinance and section. In order that any section of an original ordinance, which has been used in the Revised Ordinances, may be traced to the section of the Revised Ordinances where it is found, a reference table has been prepared as Appendix B. The text is further annotated with footnotes, cross references, decisions of the Supreme Court of the Philippine Islands, and opinions of the Attorney-General of the Philippine Islands. The annotations are thought to be complete. A table of the cases and opinions cited is printed as Appendix C. There also appears as Appendix A a table of fees; the licenses and permits granted by the city assessor and collector are there alphabetically arranged.

Lastly, an index has been carefully prepared. Whether it will be found easy of reference only those having occasion to use it can determine.

In the foregoing brief description of the contents of this volume, no attempt has been made to indicate the different steps of compilation and revision. In my report to the Municipal Board these various methods and tests were fully described. Neither is it possible to more than mention the aid given by different officials. For instance, in the preparation of the copy of the Revised Ordinances there was scarcely an important change made but was personally discussed with the head of a city department or with the Director of Health. Especially valuable advice on proposed changes in offenses was given by Judge Charles A. Low, of the municipal court, and Mr. Jesse George, prosecuting attorney. Solicitor-General George R. Harvey, member of the Compilation Committee, has very kindly checked my compilation of the Manila Charter, the best proof that can be offered of its substantial accuracy. Public acknowledgment is also due the Municipal Board, its secretary, and

the employees of his office for their uniform courtesy and assistance—a coöperation which has materially expedited publication.

Full responsibility for this volume is, however, assumed by me. Excepting the index, virtually every step of revision from the development of the general plan to the execution of the smallest detail has been personally performed, and the Municipal Board has accepted and approved the completed work upon my recommendation and report. As all of this mass of arrangement, revision, annotation, proof reading, and various other work has been accomplished outside of my official duties of assisting in the publication of the annotated English edition of the Philippine Codes, in approximately four months, it is impossible to believe that errors have not been committed.

Notwithstanding the difficulties inherent in compilation and revision and the limited time permitted for the accomplishment of this work, it is my hope that the Revised Ordinances will at least be found an advance over the previous condition of the ordinances, that the publication of the Manila Charter and the other data will be an aid to municipal administration and legal procedure, and that a basis for future revision has been laid. Should this hope, in any measure, be fulfilled the labor on this volume will not have been in vain.

GEORGE A. MALCOLM.

MANILA, PHILIPPINE ISLANDS,

August 12, 1908.

CONTENTS.

PART I.

THE MANILA CHARTER AS AMENDED

WITH WHICH ARE PRINTED SUCH FURTHER LAWS AS CONCERN THE
GOVERNMENT OF THE CITY OF MANILA.

TITLE 1.

	Page.
The Manila Charter as amended	21

TITLE 2.

FURTHER LAWS WHICH CONCERN THE GOVERNMENT OF THE CITY OF MANILA.

CHAPTER 1.—The register of deeds	74
CHAPTER 2.—Delegates to the Philippine Assembly.....	75
CHAPTER 3.—The city board of health, its powers and duties.....	76
CHAPTER 4.—The sale of intoxicating liquors; licenses.....	83
CHAPTER 5.—Continuing appropriations	90
CHAPTER 6.—Property, services, and supplies	92
CHAPTER 7.—The Consulting Architect; the Burnham plan	94
CHAPTER 8.—The Luneta Extension	95
CHAPTER 9.—Sewer and water-supply systems	96
CHAPTER 10.—Franchises	100

PART II.

THE REVISED ORDINANCES OF THE CITY OF MANILA.

TITLE 1.

ORDINANCES.

	Sections.	Page.
CHAPTER 1.—Enactment	1-7	105
CHAPTER 2.—Construction	8-11	106

TITLE 2.

ANIMALS RUNNING AT LARGE.

CHAPTER 3.—The public pound	12-22	107
CHAPTER 4.—Dogs and other animals.....	23-30	109

TITLE 3.

BUILDINGS.

	Sections.	Page.
CHAPTER 5.—General provisions	31-36	111
CHAPTER 6.—Definitions	37-88	112
CHAPTER 7.—Permits	89-109	118
CHAPTER 8.—House moving	110-111	123
CHAPTER 9.—Street lines and grades.....	112-120	124
CHAPTER 10.—Fire limits	121-125	126
CHAPTER 11.—Construction of buildings.....	126-177	128
CHAPTER 12.—Plumbing and house drainage.....	178-226	137
CHAPTER 13.—Light and ventilation.....	227-239	147
CHAPTER 14.—Unsafe structures	240-241	150
CHAPTER 15.—Elevators	242-247	150

TITLE 4.

CITY WATER SUPPLY.

CHAPTER 16.....	248-261	152
-----------------	---------	-----

TITLE 5.

DISPOSAL OF THE DEAD.

CHAPTER 17.—Burial, transfer, and exhumation.....	262-289	156
CHAPTER 18.—The Cementerio del Norte.....	290-314	163

TITLE 6.

ELECTRICITY.

CHAPTER 19.—The city electrician, his powers and duties in general.....	315-328	168
CHAPTER 20.—Electrical construction	329-372	172
CHAPTER 21.—The sale and supply of electricity and telephone service	373-379	179
CHAPTER 22.—The operation and service of street rail- ways	380-412	181

TITLE 7.

FIRES, AND THE PREVENTION OF.

CHAPTER 23.—Theaters and other quasi-public buildings	413-424	187
CHAPTER 24.—Explosives and combustibles, storing of....	425-430	191
CHAPTER 25.—Other measures against fire.....	431-434	193

CONTENTS.

11

TITLE 8.

LICENSES AND PERMITS.

	Sections.	Page.
CHAPTER 26.—Licenses generally	435-451	194
CHAPTER 27.—Permits generally	452-459	197
CHAPTER 28.—Advertising agents	460-462	198
CHAPTER 29.—Auctioneers	463-466	199
CHAPTER 30.—Barbers	467-469	200
CHAPTER 31.—Billiard and pool tables.....	470-471	200
CHAPTER 32.—Boarding stables	472-474	201
CHAPTER 33.—Bowling alleys	475-476	201
CHAPTER 34.—Clubs	477-478	202
CHAPTER 35.—Dance halls	479-480	202
CHAPTER 36.—Detective agencies	481-485	203
CHAPTER 37.—Dogs	486-490	203
CHAPTER 38.—Embalmers	491-492	204
CHAPTER 39.—Establishments for the storage of ex- plosives and combustibles.....	493-496	204
CHAPTER 40.—Ferries	497-499	206
CHAPTER 41.—Food and drink, sale of.....	500-501	206
CHAPTER 42.—Fortune tellers, jugglers, and acrobats....	502-506	207
CHAPTER 43.—Hawkers, peddlers, and hucksters.....	507-511	207
CHAPTER 44.—Hotels, lodging and boarding houses.....	512-523	208
CHAPTER 45.—Laundries and dying and cleaning es- tablishments	524-525	210
CHAPTER 46.—Livery stables	526-529	210
CHAPTER 47.—Mercantile and collecting agencies.....	530-533	211
CHAPTER 48.—Merry-go-rounds	534-535	212
CHAPTER 49.—Offensive and dangerous businesses.....	536-537	212
CHAPTER 50.—Parades	538-539	213
CHAPTER 51.—Pawnbrokers	540-552	213
CHAPTER 52.—Plumbers	553-557	216
CHAPTER 53.—Public vehicles	558-559	217
CHAPTER 54.—Race tracks and horse racing.....	560-564	217
CHAPTER 55.—Restaurants and cafés.....	565-568	218
CHAPTER 56.—Second-hand dealers and keepers of junk shops	569-571	219
CHAPTER 57.—Shipping and intelligence offices.....	572-575	220
CHAPTER 58.—Shooting galleries	576-578	220
CHAPTER 59.—Slot machines	579-580	221
CHAPTER 60.—Tattooers	581-582	221
CHAPTER 61.—Theaters	583-584	222
CHAPTER 62.—Warehouses	585-587	222

TITLE 9.

MARKETS.

	Sections.	Page.
CHAPTER 63	588-615	223

TITLE 10.

OFFENSES.

CHAPTER 64.—Offenses against public morals	616-627	229
CHAPTER 65.—Offenses against public peace	628-634	232
CHAPTER 66.—Offenses against public safety	635-647	234
CHAPTER 67.—Offenses against property	648-662	236

TITLE 11.

PUBLIC HEALTH.

CHAPTER 68.—Entry and inspection of buildings and premises	663-669	240
CHAPTER 69.—Ground surfaces	670-671	242
CHAPTER 70.—Latrines and other receptacles for offensive substances	672-686	243
CHAPTER 71.—Garbage and rubbish	687-695	246
CHAPTER 72.—Overcrowding	696-697	248
CHAPTER 73.—Hotels, lodging and tenement houses	698-709	249
CHAPTER 74.—Bakeries, dairies, and public laundries	710-726	251
CHAPTER 75.—Barbering	727-730	253
CHAPTER 76.—The manufacture and sale of food and drink	731-751	254
CHAPTER 77.—Water	752-759	257
CHAPTER 78.—Dangerous communicable diseases	760-783	259
CHAPTER 79.—Waterways and vessels therein	784-789	263
CHAPTER 80.—The filling in of lowlands	790-793	264
CHAPTER 81.—Humane care of unfortunates	794-795	265
CHAPTER 82.—Marriages and births	796-798	266
CHAPTER 83.—Offensive and unwholesome trades, businesses, and occupations	799-806	266
CHAPTER 84.—Sanitary regulation of licenses	807-808	268
CHAPTER 85.—Nuisances	809-812	269
CHAPTER 86.—Violations	813-814	271

TITLE 12.

STREETS AND THE USE THEREOF.

CHAPTER 87.—General provisions	815-823	273
CHAPTER 88.—Occupancy for building	824-830	275
CHAPTER 89.—Removal of explosives, buildings, garbage, etc	831-835	276
CHAPTER 90.—Use by vehicles	836-842	278
CHAPTER 91.—Use by street railways	843-846	279
CHAPTER 92.—Various uses	847-858	280
CHAPTER 93.—Certain public places	859-861	281

CONTENTS.

13

TITLE 13.

VEHICLES.

	Sections.	Page.
CHAPTER 94.—Vehicles in general	862-868	283
CHAPTER 95.—Public vehicles	869-894	284

TITLE 14.

VETERINARY REGULATIONS.

CHAPTER 96.—General regulations	895-916	289
CHAPTER 97.—The public slaughterhouse	917-923	294

TITLE 15.

MISCELLANEOUS LEGISLATION.

CHAPTER 98.—Public parks	924-927	296
CHAPTER 99.—Fees for certified copies of city records	928-929	296
CHAPTER 100.—Penalties	930	297
CHAPTER 101.—Repeal provisions	931-938	297

PART III.

SPECIAL ORDINANCES.

	Page.
ORDINANCE No. 44.—The franchises of the Manila Electric Railroad and Light Company	303
ORDINANCE No. 70.—Amendments of the franchises of the Manila Electric Railroad and Light Company	317
ORDINANCES NOS. 71 AND 73.—Changes in the lines of the Manila Electric Railroad and Light Company	319
ORDINANCE No. 52.—The license of the Eastern Extension Australasia and China Telegraph Company, Limited, and the Commercial Cable Company	321

APPENDIX.

A.—Table of fees and charges	327
B.—Reference table to the Revised Ordinances of the city of Manila..	335
C.—Table of cases and opinions cited	345

PART I.

THE MANILA CHARTER AS AMENDED

WITH WHICH ARE PRINTED SUCH FURTHER LAWS
AS CONCERN THE GOVERNMENT OF
THE CITY OF MANILA.

SYNOPSIS OF THE MANILA CHARTER AS AMENDED; SECTION HEADNOTES.

Sec.	Page.
1. (a) Inhabitants of Manila constitute a municipality.....	21
(b) City of Manila to have a seal; to dispose of real and personal property, and so forth.....	21
2. Boundaries of city prescribed.....	22
2a. Division of city into districts	23
3. Jurisdiction of city government for police purposes.....	23
4. Government of city vested in Municipal Board.....	24
5. Duties of secretary of the Board.....	26
6. Duties of disbursing officer of Board.....	26
7. Oath to be taken by each member of Board, and city officer.....	27
8. Each member of Board to execute bond; other officials.....	27
9. Beginning of fiscal year	28
10. Method of transacting business by Board.....	28
11. Board to have certain legislative and executive authority.....	28
12. Appointment of city officers and employees, and so forth.....	28
13. Board to inspect official books, papers, and so forth.....	29
14. Board to submit annually certain information to Governor-General; to prepare annual report.....	29
15. Appropriations; 30 per centum of city's expense from Insular funds, limitations	29
16. General powers and duties of Board.....	30
17. General powers of Board stated in detail.....	31
18. Insular Auditor to audit accounts of city.....	37
19. Insular Treasurer to receive and keep moneys of city.....	37
20. The Purchasing Agent to make purchases for city.....	37
21. [Repealed]	37
22. Warden of Bilibid Prison to receive city prisoners.....	37
23. Establishment of schools in city.....	37
24. Reports to be made on condition of schools and school buildings..	38
25. Powers and duties of heads of departments.....	38
26. City officers to devote time to business.....	39
27. Persons who are eligible for appointment to city offices.....	40
28. City officers not to engage in certain business transactions.....	40
29. Action in case of separation from service of city officers.....	40
30. When Board must advertise for sealed bids or proposals.....	40
31. Contracts in excess of ₱1,000.....	41

Sec.	Page.
32. Contracts not in excess of ₱1,000.....	41
33. Duties of city engineer	41
34. Assistants to city engineer.....	43
35. Duties of chief of police.....	43
36. Duties of chief of secret service.....	45
37. Powers and duties of peace officers.....	45
38. Duties of city attorney; to have one assistant.....	45
39. Duties of prosecuting attorney; to have three assistants.....	46
40. Municipal court provided for.....	47
41. Certain requirements to be complied with before confinement of city prisoners	51
42. Appeals to Courts of First Instance.....	51
43. Duties of sheriff of Manila.....	52
44. Justice and auxiliary justice of the peace provided for.....	54
44a. Assessors in courts in Manila	55
44b. Physicians as witnesses	56
45. Duties of chief of fire department.....	56
46. Duties of city assessor and collector.....	57
46a. (a) <i>Ex officio</i> city assessor	58
(b) "Division of assessments and collections for the city of Manila," Bureau of Internal Revenue.....	58
47. Rate per cent of annual tax for the years 1901, 1902, and sub- sequent years	59
48. Exemptions from taxation	60
49. Action in case owner of real estate fails to make return thereof..	61
50. Action in case real estate has escaped taxation.....	61
51. Certificate to be made by city assessor and collector.....	61
52. Notice to be given to public when tax list is completed.....	62
53. Appeals from decisions of city assessor and collector.....	62
54. Board of tax appeals constituted.....	62
55. Oath to be taken by each member of board of tax appeals.....	63
56. Meetings of board of tax appeals.....	63
57. When assessment may be increased or reduced.....	63
58. [Repealed]	64
59. Money to be applied to school purposes.....	64
60. Cedula or registration tax.....	64
61. City assessor and collector to collect all taxes, licenses, and so forth	64
62. City assessor and collector to collect internal-revenue tax.....	65
63. Chief deputy assessor and chief deputy collector provided for.....	65
64. Collection and disposition of taxes now in force.....	66
65. [Repealed]	66
66. Eligibility for appointment under city government.....	66
67. United States money referred to.....	66
68. City not to be liable for damages, and so forth.....	67
69. Existing city ordinances, and so forth, to continue in force un- less repealed or modified	67

Sec.	Page.
70. Liquor licenses granted by Board.....	67
71. Insular Purchasing Agent given control of property purchased out of civil funds.....	67
72. Repeal of former acts, orders, and regulations.....	68
73. Persons delinquent, procedure.....	68
74. Redemption by owner	70
75. Taxes and penalties, a lien.....	70
76. Advertisement; sale	70
77. Redemption by delinquent within one year.....	71
78. Deed to purchaser, no redemption.....	71
79. Forfeiture to municipality, when.....	71
80. Forfeiture; delinquent's right to redeem; deed to municipality, when	71
81. Civil action for taxes	72
82. Jurisdiction of court, conditions.....	72
83. Payment of selling price and interest into court by taxpayer.....	72
84. Irregularities and informalities	72
85. Omission of real estate from tax lists; penalty.....	72
86. Omission, license or privilege taxes; penalty.....	72
87. Bribe accepted by official; penalty.....	72
88. Bribe offered official; penalty.....	73
88a. Department of sewer and waterworks construction created; duties and officials	73
88b. Department of sanitation and transportation created	73

PART I.

THE MANILA CHARTER AS AMENDED

WITH WHICH ARE PRINTED SUCH FURTHER LAWS
AS CONCERN THE GOVERNMENT OF
THE CITY OF MANILA.

TITLE 1.

THE MANILA CHARTER AS AMENDED.

No. 183.—An Act to incorporate the city of Manila.

By authority of the President of the United States, be it enacted by the Philippine Commission, that:

Section 1. (a) Inhabitants of Manila constitute a municipality.²—The inhabitants of the city of Manila, residing within the territory described in section two of this Act, are hereby constituted a municipality, which shall be known as the city of Manila, and by that name shall have perpetual succession, and shall possess all the rights of property herein granted or heretofore enjoyed and possessed by the city of Manila as organized under Spanish sovereignty.³

(b) City of Manila to have a seal; to dispose of real and personal property, and so forth.—It may have a common seal, and alter the

¹ **Note.**—The Manila Charter, as here printed, has repealed sections omitted; amendments inserted or substituted for superseded portions; obsolete sections or parts of sections appearing in italics within brackets. All deviations, with the exception of titles of officials and names of Bureaus, changed to conform to Act No. 1407, and United States currency changed to its equivalent in Philippine currency in accordance with the Act of Congress of March 2, 1903, are indicated beneath the sections.

² **Governor-General's supervision.**—"The Governor-General shall have under his executive control and supervision the city of Manila * * * *." [1407—28, 31; 1706—9.]

³ **Contracts of "Ayuntamiento de Manila."**—Present city government is not in law the successor of the *Ayuntamiento de Manila*, and can not be charged with its obligations: *Aguado v. City of Manila*, 9 Phil., 513.

same at pleasure, and may take, purchase, receive, hold, lease, convey, and dispose of real and personal property¹ for the general interests of the city, contract and be contracted with, sue and be sued, and prosecute and defend to final judgment and execution, and execute all the powers hereinafter conferred. [183—1.]

Sec. 2. Boundaries of city prescribed.²—The boundaries and limits of said city are hereby established and prescribed as follows:

(1) Beginning at a point "7" (marked by a monument) one hundred and fifty meters north of the Estero Matantubig; thence running S. $52^{\circ} 6' 42''$ five thousand seven hundred and thirty and five thousand seven hundred and one ten-thousandths meters to a point "6" (marked by a monument) near the bridge on the east bank of the San Juan River, and through this point in continuation of said course to a point in the center of the channel of said river "6a;" (2) thence in a general direction S. $38^{\circ} 28' 55''$ E. in the center of the channel of the said San Juan River to a point "5" at its most easterly bend, nine hundred and ninety-six meters in a direct line from the point "6;" (3) thence S. $22^{\circ} 55' 34''$ W. one thousand three hundred and seventy-seven and seven thousand four hundred and twenty-two ten-thousandths meters to a point "4" in the center of the channel of the Pasig River where said river bends sharply to the west; (4) thence following the channel of the Pasig River in the general direction S. $43^{\circ} 40' 4''$ W. five hundred and fifty-six and one hundred and eight thousandths meters measured in a direct line from the point "4" to a point "3" in the center of said river where the river bends sharply to the east opposite the mouth of the estero forming the southern boundary of Santa Ana; (5) thence S. $43^{\circ} 39' 34''$ W. two thousand seven hundred and sixty-three and six thousand nine hundred and thirty-eight ten-thousandths meters to a point "2" (marked by a monument) on the east bank of the Estero Gallina; (6) thence S. $73^{\circ} 22' 34''$ W. one thousand two hundred and nineteen and eight hundred and sixty-

¹ **Public property.**—(a) **Cuartel Meisic:** A portion of sec. 1, Act No. 1488, reads: "The city of Manila, in consideration of repairs upon the Cuartel Meisic and the maintenance of the same, is hereby permitted to occupy the said property for municipal purposes for a period of five years (until May seventeenth, nineteen hundred and eleven), without payment of rent, the question of ultimate disposition of the property to be determined hereafter without prejudice by reason of anything herein provided."

(b) **Monte de Piedad:** Cession by city of an interest in certain land in Plaza de Goiti, which gave institution right of occupation so long as land devoted to purposes of a *monte de piedad*, was not forfeited by fact that in 1901 the Monte de Piedad claimed to be absolute owner of land. City held to be owner: *City of Manila v. Monte de Piedad*, 5 Phil., 234.

(c) **Tribunal of the Chinese "Gremio":** This building situated on Calle San Fernando was a public building during Spanish occupation, and then belonged, and now belongs to the city of Manila: *City of Manila v. Cheng et al.*, 7 Phil., 550.

² **Estero Sunog-Apog, Gagalangin, Tondo.**—Is within jurisdictional limits, and within control of city to prevent unlawful obstruction: *City of Manila v. Cabangis*, 10 Phil., 151.

one thousandths meters to a point "1" (marked by a monument) at high-water mark on Manila Bay, mark on the south side of the mouth of the Estero San Antonio, Malate, and through this point in continuation of said course to low-water mark; (7) thence in a general northwesterly direction along the shore line of Manila Bay at low-water mark to a point "8" directly west of the point of beginning "7;" (8) thence east two thousand two hundred and twenty-eight meters to the point "7" of beginning. [183—2; 341—1.]

Sec. 2a. Division of city into districts.—The resolution of the Municipal Board of the city of Manila of the thirtieth day of July, nineteen hundred and two, whereby the territory of the city of Manila was divided into thirteen districts named Tondo, San Nicolas, Binondo, Santa Cruz, Quiapo, San Miguel, Intramuros, Ermita, Paco, Malate, Pandacan, Sampaloc, and Santa Ana, and the boundaries of said districts were defined, is hereby ratified and confirmed, and the names of said districts and the boundaries thereof as set forth in said resolution shall, for the purpose of administration, for the purpose of description of property, and for all other municipal purposes, be the lawful names and boundaries of said districts. [1869—6.]

[Above section inserted because an implied amendment of Charter.]

Sec. 3. Jurisdiction of city government for police purposes.¹—The jurisdiction of the city of Manila for police purposes only shall extend to three miles from the shore into Manila Bay and over a zone surrounding the city on land of two and one-half miles in width. Within the two and one-half mile zone beyond the limits of the city the Court of First Instance and the municipal court of the city of Manila shall have concurrent jurisdiction with the Courts of First Instance and the courts of justices of the peace of the provinces and municipalities, respectively, to try crimes and misdemeanors committed therein. The court first taking jurisdiction of such an offense shall thereafter retain exclusive jurisdiction thereof. The police of the several municipalities concerned shall have concurrent jurisdiction with the police of the city of Manila for the maintenance of good order and the enforcement of lawful ordinances throughout the two and one-half mile zone: *Provided, however,* That any license that may lawfully be granted within the two and one-half mile zone shall be granted by the proper authorities of the municipality concerned, and the fees arising therefrom

¹ **Jurisdiction of Court of First Instance of Manila.**—Under sec. 3 of Act No. 183, decided that jurisdiction of Court of First Instance of Manila did not include the police zone surrounding the city on land: *U. S. v. Jenkins et al.*, 5 Phil., 278; *Collins v. Wolfe*, 5 Phil., 285; *U. S. v. Arceo*, 6 Phil. 29; *U. S. v. Salvador et al.*, 6 Phil., 439. Section later enlarged and superseded by sec. 1, Act No. 1457, above section hereof.

Ordinances for police zone.—See note to sec. 16 hereof.

Burial permits, police zone.—See note to sec. 265 of Revised Ordinances.

shall appertain to the treasury of the municipality concerned and not to that of the city of Manila: *And provided further*, That all fines, forfeitures, fees, and costs imposed by reason of offenses committed within the two and one-half mile zone shall accrue not to the treasury of the city of Manila, but to the treasury to which they would otherwise accrue had not this section been enacted. [183—3; 1457—1.]

[Headnote was not included in sec. 1, Act No. 1457.]

Sec. 4. Government of city vested in Municipal Board.—The government of said city is hereby vested in a Municipal Board, consisting of six members, three to be appointed by the Governor-General, by and with the consent of the Commission, and to be removable in the same manner, one *ex officio* member, *to wit*, the city engineer, and two elective members to be elected from the city of Manila, who shall hold office for two years or until their successors are elected and qualified or appointed and qualified. One of said elective members shall be elected from the First Assembly District ¹ of the city of Manila and one shall be elected from the Second Assembly District of said city, and each of said elective members at the time of his election shall be a resident and qualified elector of the Assembly District from which he is elected. The elective members of the Municipal Board may be suspended or removed from office under the same circumstances, with the same effect, in the same manner, and for the same reasons as those specified in section nineteen ² of Act Numbered Eighty-three, as amended, and

¹ **Assembly districts.**—See sec. 7, Act No. 1582, p. 76.

² **Section quoted.**—Sec. 19, Act No. 83, as superseded by sec. 1, Act No. 245, reads: "Should the Governor-General have reason to believe that any provincial officer is guilty of disloyalty, dishonesty, oppression, or misconduct in office, he may suspend him from the discharge of the duties of his office, and, after due notice to the suspended officer, shall investigate the cause of suspension and either remove him, with the advice and consent of the Commission, from office, or reinstate him, as the circumstances may require; pending the suspension of the provincial officer the Governor-General shall have the power temporarily to appoint a person who shall in the interim discharge the duties of the suspended officer, and in case the suspended officer is a treasurer, to make such provision with respect to the bond of the temporary appointee as may to him seem wise. The temporary appointee shall receive the same compensation as is given by law to the permanent appointee, to be paid from the provincial treasury as other salaries. In case the suspension results in a removal, the removed appointee shall not receive any compensation from and after the date of his suspension. Should he be reinstated, it shall be in the discretion of the Governor-General to direct that his compensation during the period of his suspension shall be withheld or paid from the provincial treasury. Suspension or removal under this section shall not prevent the institution of criminal proceedings against the person suspended or removed. Every provincial officer shall be subject to prosecution, for a criminal act committed by him, in Courts of the First Instance in the same manner as any other person."

the provisions of law providing for the suspension or removal of elective provincial officers and for the confirmation of their elections are hereby made effective for the suspension or removal of said elective members of the Municipal Board and for the confirmation of their elections. In so far as they are applicable all of the provisions of Act Numbered Fifteen hundred and eighty-two, as amended, are hereby made effective as to elective members of the Municipal Board and to their election to the same extent as if the provisions of said Act Numbered Fifteen hundred and eighty-two, as amended, had been incorporated in this Act, and as if the city of Manila were a province and the election of said elective members were the election for provincial governor or for third member of the provincial board: *Provided, however,* That in case of conflict between the provisions of the Election Law and this Act, the provisions of this Act shall prevail and control. One member of the Board shall be designated in the appointment of the Governor-General as President and shall preside at all meetings of the Board. The President shall sign all ordinances, resolutions, bonds, contracts, and obligations made or authorized by the Board, and shall issue such orders and instructions as may be necessary to carry out and enforce the ordinances of the city and the orders of the Board relating thereto. In case of sickness or absence of any member of the Board or if for any reason it becomes necessary to maintain a quorum or to break a tie, the Governor-General may make a temporary appointment until the return of the absent member or members or until the tie is broken. During the period of such temporary appointment the person receiving the same shall possess all the rights and perform all the duties of a member of the Board.

Elections for elective members of the Municipal Board shall be held on the first Tuesday after the first Monday in November of each odd numbered year and the persons elected as elective members shall take office on the first day of January next after their election: *Provided, however,* That the first election for elective members of the Municipal Board shall be held on a date to be proclaimed by the Governor-General which shall not be later than August fifteenth, nineteen hundred and eight, and that the register of voters for such election proclaimed by the Governor-General shall be that specified in section eighteen of Act Numbered Fifteen hundred and eighty-two, and said section eighteen is hereby made applicable to said first election for elective members. Elective members elected at the first election shall take office immediately upon qualifying and giving the bond required by law, and shall hold office until January first, nineteen hundred and ten, or until their successors are elected and qualified or appointed and qualified. If any person elected as elective member of the Municipal Board is ineligible to hold office, or if for any reason there should be a failure to elect one or both elective members, no special election shall be called, but the vacancy

in the office of elective member shall be filled for the term by the Governor-General by and with the advice and consent of the Commission. Vacancies in the office of elective member occurring after taking office and before the expiration of the regular term shall be filled for the unexpired term by the Governor-General by and with the advice and consent of the Commission.

The city engineer as *ex officio* member of the Board shall receive no compensation in addition to that received by him as city engineer.

The two elective members shall each receive a per diem of twenty pesos for each day of attendance on a session of the Municipal Board. [183—4; 1869—1.]

Sec. 5. Duties of secretary of the Board.—The Board shall have a secretary, who shall be first appointed by the Governor-General, by and with the consent of the Commission, and his successor shall be appointed by the Board, subject to the provisions of the Civil Service Act.¹ The secretary shall be in charge of the municipal records. He shall keep a full record of the proceedings of the Board, both legislative and executive, and file all documents relating thereto; shall record, in a book kept for that purpose, all ordinances passed by the Board, with the dates of passage and publication of the same; shall keep the corporate seal, and affix the same, with his signature, to all ordinances and other official acts of the Board, and shall present the same for signature to the president; shall cause each ordinance passed to be published as herein provided; shall have charge and custody of all records and documents of the city and of any office or department thereof, for which provision is not otherwise made; shall, on demand, furnish certified copies of all city records and documents, and shall collect and receive therefor such fees as may be prescribed, for the use of the city; shall keep his office and all records therein open to inspection during usual business hours by all residents of the city and all officers of the Insular and General Governments. He shall have such other powers and perform such other duties as the Board may prescribe. [183—5.]

Sec. 6. Duties of disbursing officer of Board.²—The Board shall appoint a disbursing officer, who shall be charged with the duty of disbursing all moneys drawn from the Insular Treasury pursuant to appropriations made by the Commission. He shall discharge his duties in accordance with the provisions of Act Numbered Seventeen hundred and ninety-two, prescribing the duties of disbursing clerks, and shall render his accounts in such manner as the Auditor for the Philippine Islands may prescribe. [183—6.]

[“Seventeen hundred and ninety-two” substituted for “One hundred and forty-five” in line 5. Act No. 145 repealed.]

¹ **Civil Service Act.**—See Act No. 1698.

² **Ministerial duty.**—The payment of salaries, for which proper certificates have been filed showing that the applicant is entitled thereto, is a ministerial function: *Hoey v. Baldwin*, 1 Phil. 551.

Sec. 7. Oath to be taken by each member of Board, and city officer.—Each member of the Board, and city officer appointed under this Act shall, before entering on the duties thereof, take and subscribe to the following oath, which shall be filed with the secretary to the Board, and be by him recorded:

“I,, having been duly appointed
 of the city of Manila, do hereby accept said office, and do solemnly swear (or affirm) that I recognize and accept the supreme authority of the United States of America in these Islands, and will maintain true faith and allegiance thereto; that I will obey all the laws, legal orders, and decrees promulgated by its duly constituted authorities; that I impose upon myself this obligation voluntarily, without mental reservation or purpose of evasion; that I will well and faithfully discharge the duties of the office upon which I am about to enter, so help me God. (Last four words to be stricken out in case of affirmation.)

“.....”

(Signature of officer.)

“Subscribed and sworn to (or affirmed) before me this
 day of, 190....

“.....”

(Signature of officer administering oath.)

This oath, and all others required in connection with the administration of the city government, may be administered by any officer authorized to administer oaths, or by any member of the Board or its secretary, or by any other city officer appointed under this Act, and no fee shall be charged therefor. [183—7.]

Sec. 8. Each member of Board to execute bond; other officials.—Each member of the Municipal Board before entering upon the duties of his office shall execute a bond to the Insular Government in the sum of twenty thousand pesos, with such surety or sureties as shall be approved by the Insular Auditor, or, by and with the approval of the Governor-General, may be bonded in accordance with the provisions of Act Numbered Seventeen hundred and thirty-nine. The bond given shall be filed with the Insular Auditor and a copy spread upon the records of the Board. Before entering upon the duties of his office every city officer and employee charged with the custody of property or funds shall be bonded in accordance with the provisions of Acts Numbered Seventeen hundred and thirty-nine and Seventeen hundred and ninety-two, and said Acts Seventeen hundred and thirty-nine and Seventeen hundred and ninety-two are hereby made applicable and effective as to every city officer and employee of the city of Manila accountable for property or funds. [183—8; 1869—2.]

[Headnote was not included in sec. 2, Act No. 1869.]

Sec. 9. Beginning of fiscal year.—The fiscal year of the city shall commence on the first day of July of each calendar year, and extend to and include the thirtieth day of June following. [183—9.]

Sec. 10. Method of transacting business by Board.—The Board shall meet and transact business every day during the year, Sundays and legal holidays excepted. It shall sit with open doors unless otherwise ordered by an affirmative vote of four members. It shall keep a record of its proceedings and determine its rules of procedure not herein set forth. Four members of the Board shall constitute a quorum for the transaction of business, and four affirmative votes shall be necessary for the passage of any ordinance or motion. The ayes and noes shall be taken and recorded upon the passage of all ordinances, upon all resolutions or motions directing the payment of money or creating liability, and, at the request of any member, upon any other motion or resolution. Each ordinance shall be sealed with the city seal, signed by the president of the Board and the secretary, and recorded in a book kept for that purpose. Each ordinance shall be published in two daily newspapers of Manila, one printed in English and the other in Spanish, within three days after its passage, and shall take effect and be in force on and after the tenth day following its passage, if no date is fixed in the ordinance. [183—10; 1869—3.]

Sec. 11. Board to have certain legislative and executive authority.—The Board shall have the legislative authority herein conferred. It shall possess the executive powers herein conferred, which shall be exercised through the following departments, and by general supervisory control over the same:

1. Department of engineering and public works.
2. Police department.
3. Law department.
4. Fire department.
5. Department of assessments and collections.
6. Department of sewer and waterworks construction.
7. Department of sanitation and transportation. [183—11; 267—17; 1323—7; 1421—1.]

Sec. 12. Appointment of city officers and employees, and so forth.—The heads of departments, assistant heads, and all superintendents therein shall, upon the passage of this Act, be appointed by the Governor-General by and with the consent of the Commission, and shall be subject to removal by the Board. Vacancies in such offices thereafter shall be filled by appointment of the Board in accordance with the provisions of the Civil Service Act.¹ Employees other than officers shall be appointed and removed by the heads of departments in accordance with the provisions of the Civil Service Act.¹ *Provided, nevertheless,* That the city attorney and his assistant, and the prosecuting attorney and his assistants,

¹ Civil Service Act.—See Act No. 1698.

and their successors, shall be appointed by the Governor-General subject to the advice and approval of the Commission. [183—12; 267—1.]

Sec. 13. Board to inspect official books, papers, and so forth.—The Board shall have power at all times to examine and inspect official books, papers, and records of all officers, agents, and employees, and shall examine and inspect the same at least once in each year. [183—13.]

Sec. 14. Board to submit annually certain information to Governor-General; to prepare annual report.—On or before the tenth day of June of each year, the Board shall prepare and present to the Governor-General for transmission to the Commission, in itemized form and in detail: (a) An inventory of lands, buildings, and other property, real and personal, belonging to the city, including cash in the treasury; (b) a statement of the liabilities of the city; (c) an estimate of the revenues of the city from all sources for the ensuing fiscal year, with a statement opposite each item of the amount realized from such sources during the preceding twelve months; (d) an estimate of the ordinary expenses for the ensuing fiscal year, with a statement opposite each item of the corresponding expenses during the preceding twelve months; (e) an estimate of such extraordinary expenditures as may be necessary for any purpose, the approximate total expenditure recommended, and the amount which it is expected to expend during the ensuing fiscal year; also an itemized statement of the extraordinary expenditures during the preceding twelve months. The Board shall, on or before the tenth day of August of each year, prepare and present to the Governor-General for transmission to the Commission an annual report covering the operations of the city government during the preceding fiscal year. This report shall be printed in pamphlet form by the Board for general circulation. [183—14.]

[“Tenth” substituted for “first” in line 18. See Act No. 1824.]

Sec. 15. Appropriations; thirty per centum of city's expenses from Insular funds, limitations.¹—Subject to approval by the Governor-General, the Municipal Board of the city of Manila shall make all appropriations for the expenses of the government of said city. In consideration of the exemption from taxation of the extensive real-estate holdings of the Insular Government within the limits of the city of Manila, of the deprivation of the city of Manila of revenues which under its Charter it would have derived from wharves along certain portions of the Pasig River ceded to the Insular Government, of the expense of extensive improvements which the government of said city is required to make by reason of the location therein of the capital of the Islands, of the use by the Insular

¹ **Road and bridge and school funds.**—See sec. 150, Act No. 1189, as superseded by sec. 1, Act No. 1695.

Government of the building known as the "Ayuntamiento," of the free service furnished by the police department of said city at certain buildings occupied by the Insular Government, including Malacañan Palace, and of the service by the sheriff of the city of Manila as an officer of the Supreme Court, there is hereby created a permanent continuing appropriation, from any funds in the Insular Treasury not otherwise appropriated, equal to thirty per centum of the expenses of the government of the city of Manila exclusive of those amounts which appear as expenses by reason of interdepartmental charges and charges against the Insular Government for land transportation and other analogous services and supplies: *Provided*, That the total contribution from Insular funds to the government of the city of Manila under this appropriation shall not in any one year exceed the amount of the proceeds of the real-estate tax collected by the said city during the next preceding year: *And provided further*, That the total amount of such contribution shall not in any one year exceed the sum of one million two hundred and fifty thousand pesos. The Insular Auditor is hereby directed to ascertain from time to time the amount herein appropriated and to transfer to the city of Manila, out of any funds in the Insular Treasury not otherwise appropriated, the amount so ascertained. [183—15; 1765—1.]

[Headnote is inserted for purpose of uniformity.]

Sec. 16. General powers and duties of Board.—The Board shall take possession of all lands, buildings, offices, books, papers, records, moneys, credits, securities, assets, accounts, or other property or rights belonging to the former ¹ city of Manila or pertaining to the business or interests thereof, and, subject to the provisions herein set forth, shall have control of all its property except the building known as the Ayuntamiento, provision for the occupation and control of which is made in section fifteen of this Act; shall collect taxes and other revenues, and apply the same in accordance with appropriations, as hereinbefore provided, to the payment of the municipal expenses; shall supervise and control the discharge of official duties by subordinates; shall institute judicial proceedings to recover property and funds of the city wherever found or otherwise to protect the interests of the city, and shall defend all suits against the city; shall make such ordinances ² and regulations as may be

¹ See note to sec. 1 hereof.

² **Enactment of ordinances.**—City must be given authority to enact; city may enact ordinances upon same subject upon which the State has legislated; such legislation must be in harmony with the State law: *U. S. v. Chan-Cun-Chay*, 5 Phil., 385. Jurisdiction of city over police zone does not include right to enact ordinances therefor; justices of the peace, of municipalities upon which zone encroaches, have exclusive jurisdiction in cases of breaches of ordinances of respective municipalities: *Op. Atty-Gen.*, 3 Off. Gaz., 65.

necessary to carry into effect and discharge the powers and duties conferred by this Act, and to provide for the peace, order, safety, and general welfare of the city and its inhabitants; shall fix penalties for the violation of ordinances, provided that no fine shall exceed two hundred pesos, and no imprisonment shall exceed six months for a single offense. The Board shall see that the laws and ordinances are faithfully executed and enforced, and shall have such further powers¹ and perform such further duties² as may be prescribed by law. [183—16.]

Sec. 17. General powers of Board stated in detail.—In addition to the foregoing the Board shall have the following general powers:

(a) To collect taxes for general and special purposes, in accordance with law. [183—17 (a).]

(b) To prescribe the time, places, and manner of payment of salaries and wages to city officials and employees. [183—17 (b).]

(c) To provide for the erection or rental and care of buildings necessary for the use of the city. [183—17 (c).]

(d) To establish and maintain free public schools for primary instruction and to provide schoolhouses therefor, subject to the limitations of Act Numbered Seventy-four.³ [183—17 (d).]

(e) To provide secondary schools, and professional schools, with the approval of the city superintendent, and to charge matriculation and tuition fees with the same approval. [183—17 (e).]

(f) To maintain police courts⁴ established by law, which shall have exclusive jurisdiction of all criminal cases under the ordinances of the city, and such further jurisdiction as may be herein or hereafter conferred. [183—17 (f).]

¹ **Further powers; readjustment of duties of city departments.**—The portion of sec. 6, Act No. 1706, after last semicolon, reads: "And (the Municipal Board) to make from time to time such readjustment of the duties and receipts of the several departments as the public interest may demand, the provisions of existing law to the contrary notwithstanding." *Quare*, does the provision above quoted, although appearing in an appropriation Act, the fiscal provisions of which became null on July 1, 1908, nevertheless authorize the Municipal Board (with the possible approval of the Governor-General) to readjust, from time to time, the duties of the several city departments without regard to previous provisions of the Manila Charter assigning specific duties to specific departments—to that extent does said portion of Act No. 1706 practically nullify the above-mentioned portions of the Charter? Attention is invited to the department of sanitation and transportation which was created by Act No. 1421 (an appropriation Act) and "authorized to charge for services and supplies furnished by it"; as a matter of practice it has multifarious functions.

² **Further duties; rooms for Court of Land Registration.**—Sec. 2, Act No. 496, is as follows: "In the city of Manila the Municipal Board * * * shall provide suitable rooms for the sittings of the Court of Land Registration in the same building with, or convenient to, the office of the register of deeds."

³ **Amendments.**—Act No. 74 has been amended many times. See tables "Amended Acts" in front of volumes of Public Laws.

⁴ **Police courts.**—Under present law means the municipal court.

(g) To release¹ any person imprisoned for violation of a city ordinance and to remit the sentence of such person, or any part thereof. [183—17 (g).]

(h) To establish fire limits,² and regulate the kinds of buildings and structures that may be erected within said limits, and the manner of constructing and repairing the same. [183—17 (h).]

(i) To erect engine houses, and provide fire engines, hose carts, hooks and ladders, and other equipment for the prevention and extinguishment of fires, and to provide for the management and use of the same. [183—17 (i).]

(j) To issue licenses³ fixing the amount of the license fee and prescribe the time and manner of revoking the same for the following: Hawkers, peddlers, hucksters, not including hucksters or peddlers who sell only native vegetables, fruits, or foods, personally carried by the huckster or peddler, auctioneers, plumbers, barbers, embalmers, collecting agencies, mercantile agencies, shipping and intelligence offices, private detective agencies, advertising agents, tattooers, fortune tellers, jugglers, acrobats, hotels, clubs, restaurants, cafés, lodging houses, boarding houses, livery stables, boarding stables, laundries, cleaning and dyeing establishments, establishments for the storage of highly combustible or explosive materials, public warehouses, dance halls, circus and other similar parades, public vehicles, race tracks, horse races, bowling alleys, shooting galleries, slot machines, and merry-go-rounds. [183—17 (j); 1338—1 (z).]

(k) To make regulations for the conducting of the business of the following:³ All the persons named in paragraph (j) of this section, and also pawnbrokers, dealers in second-hand merchandise, junk dealers, public ferries, billiard tables, theaters,⁴ theatrical performances, circuses, and all other performances and places of amusement, and the keeping, preparation, and sale of meat,⁵ poultry, fish, butter, cheese, lard, vegetables, bread, and other provisions. [183—17 (k); 1189—146 (b).]

(l) To regulate the business and fix the location of match factories, blacksmith shops, foundries, steam boilers, lumber yards, shipyards, and other establishments likely to endanger the public safety by giving rise to conflagrations or explosions; to regulate the storage⁶ and sale of gunpowder, tar, pitch, resin, coal, oil, gasoline, benzine, turpentine, hemp, cotton, nitroglycerine, petroleum,

¹ **Pardons.**—Municipal Board has authority to pardon all prisoners sentenced by any court for violations of city ordinances: 2 Op. Atty.-Gen., 632.

² **Fire limits.**—See chapter 10 of Revised Ordinances.

³ **Licenses.**—See title 8 and chapter 84 of Revised Ordinances. As alphabetically arranged see Appendix A.

⁴ **Theaters.**—See chapters 23 and 61 of Revised Ordinances.

⁵ **Meat, etc.**—See chapters 41 and 76 of Revised Ordinances.

⁶ **Explosives and combustibles.**—See chapters 24 and 39 of Revised Ordinances.

or any of the products thereof, and of all other highly combustible or explosive materials. [183—17 (*l*) ; 1150—10.]

(*m*) To inspect and regulate the method of using steam engines and boilers, other than marine, and to charge a reasonable inspection fee for so doing, and to license all engineers engaged in operating the same. [183—17 (*n*).]

(*n*) To suppress houses of ill-fame¹ and other disorderly houses, gaming houses, gambling,² and all fraudulent devices for the purpose of gain and of obtaining money or property; to prohibit the printing, sale, or exhibition of immoral pictures,³ books, or publications of any description. [183—17 (*n*).]

(*o*) To regulate and license or suppress cockfighting and cockpits. [183—17 (*o*).]

(*p*) To license, regulate, or prohibit the keeping of dogs,⁴ and to authorize their impounding and destruction when running at large contrary to ordinance. [183—17 (*p*).]

(*q*) To establish and maintain city pounds;⁴ to regulate, restrain, and prohibit the running at large of domestic animals, and provide for the distraining, impounding, and sale of the same for the penalty incurred, and the cost of the proceedings; also to impose penalties upon the owners of said animals for the violation of any ordinance in relation thereto. [183—17 (*q*).]

(*r*) To prohibit and provide for the punishment of cruelty to animals.⁵ [183—17 (*r*).]

(*s*) To provide for the inspection and sealing of weights and measures,⁶ enforce the keeping and use of proper weights and measures by vendors, and regulate the inspection, weighing, and measuring of brick, coal, lumber, and other articles of merchandise. [183—17 (*s*).]

(*t*) To lay out, construct, improve, and regulate the use of streets,⁷ avenues, alleys, sidewalks,⁸ wharves, piers, parks,⁹ cemeteries,¹⁰ and other public places; to prevent and remove encroach-

¹ **Houses of prostitution.**—See sec. 620 of Revised Ordinances.

² **Gambling.**—See secs. 620—625, inclusive, of Revised Ordinances.

³ **Immoral pictures, etc.**—See sec. 617 of Revised Ordinances.

⁴ **Animals running at large.**—See title 2 of Revised Ordinances.

⁵ **Cruelty to animals.**—See sec. 616 of Revised Ordinances.

⁶ **Weights and measures.**—See Act No. 1519. Sec. 14, thereof is as follows: "The sealing and licensing of weights and measures shall be the duty of the provincial treasurers and their deputies and of the inspector of weights and measures of the city of Manila and his deputies, in their respective territories, under rules and regulations prescribed by the Collector of Internal Revenue with the approval of the Secretary of Finance and Justice. For the purposes of this Act these officers shall be termed 'sealers of weights and measures.'"

⁷ **Streets, etc.**—See title 12 of Revised Ordinances.

⁸ **Sidewalks.**—See sec. 115 of Revised Ordinances.

⁹ **Parks.**—See sec. 653 and chapter 98 of Revised Ordinances.

¹⁰ **Cemeteries.**—See title 5 of Revised Ordinances.

ments¹ and obstructions from the same; to provide for the lighting, cleaning, and sprinkling of streets and public places; to regulate or prevent the use of the same for processions, signs, signposts, awnings, awning posts; the carrying or displaying of banners,² placards, advertisements or handbills, or the flying of signs, flags, or banners across, over, or from any building along the same. To prohibit the throwing or depositing of offal,³ garbage, refuse, or other offensive matter in the same, and to provide for its collection² and disposition; to regulate the openings therein for the laying of gas, water, sewer, and other pipes therein, the building and repair of tunnels, sewers, and drains, and all structures therein and thereunder, and the erecting of poles and the stringing of wires therein; to provide for and regulate cross-walks, curbs, and gutters therein; to name and change the names of the same, and provide for and regulate the numbering of houses and lots fronting thereon; to regulate traffic¹ and sales upon the same; to abate nuisances in the same, and punish the authors or owners thereof; to construct, maintain, and regulate the use of bridges, viaducts, and culverts; to prevent and regulate playing ball,³ flying kites, and rolling hoops, and any other amusements having a tendency to annoy persons using the streets or public places, or to frighten horses or other animals; to regulate the speed of horses⁴ and other animals, vehicles, cars,⁵ and locomotives within the limits of the city; to regulate the locating, constructing and laying of the track of any horse, electric, or other form of railroad in the streets or other public places of the city authorized by law; to provide for and change the location, grade, and crossings⁶ of any railroad, and to compel such railroad to raise or lower its tracks to conform to such provisions or changes; to require any railroad company to fence its railroad, or any part thereof, to provide suitable protection against injury to persons or property, and to construct and repair ditches, drains, sewers, and culverts along and under its tracks, so that the natural drainage of the streets and adjacent property shall not be obstructed. [183—17 (t).]

(u) To construct, maintain, and regulate the navigation of canals and water courses,⁷ and to cleanse and purify the same; to drain⁸ and fill private premises when necessary in the enforcing of

¹ Streets, etc.—See title 12 of Revised Ordinances.

² Garbage, etc., collection of.—See chapter 71 of Revised Ordinances.

³ Baseball, flying kites, etc.—See sec. 635 of Revised Ordinances.

⁴ Speed of horses.—See secs. 636, 637 of Revised Ordinances.

⁵ Speed of street railway cars.—See sec. 391 of Revised Ordinances.

⁶ Highway crossings.—Sec. 83, Act No. 1459, is as follows: “* * * At crossings of peculiar danger a gate shall be placed or a guard shall be stationed by the railroad corporation whenever * * * the Municipal Board of the city of Manila * * *, with the approval of the Director of Public Works, shall so direct.”

⁷ Esteros.—See sec. 784 of Revised Ordinances.

⁸ Drainage, etc.—See sec. 793 of Revised Ordinances.

ordinances enacted under the authority of paragraph (s) of section three of Act Numbered Eleven hundred and fifty.¹ [183—17 (u); 1150—10.]

(v) To construct and maintain public landing places, wharves, piers, docks, levees, and to regulate and control the use of the same, and all private landing places, wharves, piers, docks, and levees. [183—17 (v).]

(w) To maintain waterworks² for the purpose of supplying water to the inhabitants of the city, to purify the source of supply, and regulate the control and use of the water, and to fix and collect rents therefor; to regulate the construction, repair, and use of hydrants, pumps, cisterns, and reservoirs, and to prevent the waste of water. [183—17 (w).]

(x) To establish and maintain public drains,³ sewers, latrines,⁴ and cesspools. [183—17 (x); 1150—10.]

(y) Subject to the provisions of paragraph (h) of section three of Act Numbered Eleven hundred and fifty,¹ to provide for the establishment of public laundries, stables, and bath houses and regulate their use. [183—17 (y); 1150—10.]

(z) Subject to the provisions of paragraph (g) of section three of Act Numbered Eleven hundred and fifty,¹ to establish public markets,⁵ market houses, and slaughterhouses⁶ and regulate their use; to regulate or prohibit the establishment of such institutions by any person, firm, or corporation; to regulate the business⁷ and fix the location of tanneries, renderies, tallow chandleries, bone factories, and soap factories. [183—17 (z); 1150—10.]

(aa) To make suitable provisions to insure the public safety from conflagrations and the effects of floods, storms, and other public calamities, and to provide relief for persons suffering from the same. [183—17 (aa).]

(bb) To establish, maintain, and regulate a police force, prescribe the powers and duties of its members, and make and enforce all necessary police ordinances, with the view to the confinement and reformation of vagrants, disorderly persons, mendicants, and prostitutes, and persons convicted of violating any city ordinance; to provide for the arrest, trial, fining, and putting to work on the streets and elsewhere of such persons. [183—17 (bb).]

(cc) To extend and enforce all its ordinances over all waters within the city, and over the Bay of Manila three miles beyond the city limits, and over any boat or other floating structure thereon; and for the purpose of protecting and insuring the purity of the

¹ See p. 77 hereof.

² **City water supply.**—See title 4 of Revised Ordinances.

³ **Plumbing and house drainage.**—See chapter 12 of Revised Ordinances.

⁴ **Latrines.**—See secs. 682—686 of Revised Ordinances.

⁵ **Public markets.**—See title 9 of Revised Ordinances.

⁶ **Public slaughterhouse.**—See chapter 97 of Revised Ordinances.

⁷ **Offensive businesses, etc.**—See chapter 83 of Revised Ordinances.

water supply ¹ of the city, to extend and enforce ordinances to that end over all territory within the drainage area of such water supply, or within one hundred meters of any reservoir, conduit, canal, aqueduct, or pumping station used in connection with the city water service. [183—17 (*cc*).]

[“Within” substituted for “with” in line 7 of above subsection.]

(*dd*) To enforce the regulations of the Bureau of Health for the Philippine Islands, and by ordinance to prescribe fines and penalties for violations of such regulations. [183—17 (*dd*); 267—2.]

(*ee*) To fix rates and collect wharfage from all water craft landing at or using public wharves, docks, levees, or landing places. [183—17 (*ee*).]

(*ff*) To provide for the closing of opium ² joints, and to prohibit the keeping or visiting of any place where opium is smoked or sold for the purpose of smoking. [183—17 (*ff*).]

(*gg*) To regulate the use of lights in stables, shops, and other buildings and places, and to regulate and restrain the building of bonfires and the use of firecrackers,³ fireworks, torpedoes, candles, skyrockets, and other pyrotechnic displays. [183—17 (*gg*).]

(*hh*) To prevent ⁴ and suppress riots,⁵ affrays, disturbances, and disorderly assemblies;⁵ to punish and prevent intoxication,⁶ fighting,⁵ quarreling,⁵ and all disorderly conduct;⁵ and to keep the peace.⁵ [183—17 (*hh*).]

(*ii*) To regulate, control, and prevent discrimination in the sale and supply of gas, electricity,⁷ and telephone and street-railway service, and fix and regulate rates and charges therefor where the same have not been fixed by Act of Congress or the Philippine Commission; and to provide for the inspection of all gas, electric, telephone, and street-railway wires, conduits, meters, and other apparatus, and the condemnation and correction or removal of the same when dangerous or defective. [613—1.]

(*jj*) To declare, prevent, and abate nuisances,⁸ and to regulate the ringing of bells⁹ and the making of loud or unusual noises. [613—1.]

(*kk*) To make, publish, amend, and repeal all ordinances, necessary to carry into effect the powers herein granted, and to enforce

¹ Manila water supply, protection.—See sec. 759 of Revised Ordinances.

² Opium.—See Act No. 1761.

³ Firecrackers, etc.—See sec. 646 of Revised Ordinances.

⁴ Breaches of peace, etc.—Ordinance as to, secs. 619, 628, 635, 642, 643, 651 of Revised Ordinances, held valid: *U. S. v. Trinidad*, 7 Phil., 325.

⁵ Riots, etc.—See sec. 628 of Revised Ordinances.

⁶ Intoxication.—See sec. 619 of Revised Ordinances.

⁷ Electricity.—See title 6 of Revised Ordinances, especially note to chapter 21 thereof.

⁸ Nuisances.—See chapter 85 of Revised Ordinances.

⁹ Ringing of bells.—See secs. 632—634, inclusive, of Revised Ordinances.

the same by fines and penalties, within the limits authorized by law. [183—17 (ii) ; 613—1.]

Sec. 18. Insular Auditor to audit accounts of city.—The Auditor for the Philippine Islands shall receive and audit all accounts of the city of Manila, in accordance with the provisions of Act Numbered Seventeen hundred and ninety-two. [183—18.]

["Seventeen hundred and ninety-two" substituted for "Ninety" in line 4. Act No. 90 repealed.]

Sec. 19. Insular Treasurer to receive and keep moneys of city.—The Treasurer of the Philippine Islands shall receive and safely keep all moneys arising from the revenues of the city of Manila, in accordance with the provisions of Act Numbered Seventeen hundred and ninety-two, and shall expend the same upon warrants drawn in accordance with the provisions of said Act. Requisitions for such warrants, in favor of the disbursing officer of the Board, shall be made by the head of the department of the city government to which the business relates, subject to the approval of the Governor-General. [183—19.]

["Seventeen hundred and ninety-two" substituted for "Ninety" in line 4. Act No. 90 repealed.]

Sec. 20. The Purchasing Agent to make purchases for city.—The Purchasing Agent shall purchase all supplies, equipments, material, and property of every kind, except real estate, for the use of the city of Manila or any of the departments or offices thereof, and shall supply the same to the city or any of its departments or offices, in accordance with the provisions of Act Numbered One hundred and forty-six.¹ But contracts for completed work of any kind for the use of the city, or any of the departments or offices thereof, involving both labor and materials, where the materials are furnished by the contractor, not by the city, shall not be deemed to be within the provisions of this section, but such contract shall be made in accordance with the subsequent provisions of this Act. [183—20 ; 267—3.]

Sec. 21. [*Repealed by sec. 13, Act No. 1150.*]

Sec. 22. Warden of Bilibid Prison to receive city prisoners.²—The Warden of Bilibid Prison shall set apart a suitable portion thereof for city prisoners, and shall receive for confinement and detention all persons who have been sentenced to imprisonment by the municipal court of the city of Manila ; and the expense of maintaining such portion of Bilibid Prison shall be paid for out of the funds of the city. [183—22 ; 612—2.]

Sec. 23. Establishment of schools in city.—The Board shall have

¹ Act later amended.

² **Juvenile offenders.**—For provisions as to commitment of, to charitable or educational institutions see Act No. 1438.

the same powers in respect to the establishment of schools in Manila as are conferred on municipal councils by the provisions of the Municipal Code and its amendments, as limited by Act Numbered Seventy-four¹ establishing a Department of Public Instruction. A local school board of six members for the city of Manila, who shall serve without salary, shall be selected and removed in accordance with sections ten and eleven of said Act Numbered Seventy-four,¹ and shall exercise the same powers as provided in said Act. The Director of Education shall exercise the same jurisdiction and powers in the city of Manila as elsewhere in the Islands, and the city superintendent of schools in Manila shall have all the powers and duties in respect to the schools of such city as are vested in division superintendents in respect to the schools of their divisions.

The clerical force and assistants and laborers in the office of the city superintendent of schools shall be paid by the city of Manila, as well as the office expenses for supplies and material incident to carrying on said office. [183—23; 267—4.]

[“Islands” substituted for “Archipelago” in line 11.]

Sec. 24. Reports to be made on condition of schools and school buildings.—The city superintendent of schools shall make a quarterly report of the condition of the schools and school buildings of Manila to the Board, and such recommendations as seem to him wise in respect to the number of teachers, their salaries, new buildings to be erected, and all other similar matters, together with the amount of city revenues which should be expended in paying native teachers, and improving the schools or school buildings of the city. The local school board shall make a similar quarterly report to the Board. The local school board shall be furnished an office and necessary clerical force by the city superintendent out of the appropriation for his office.

The department of engineering and public works shall have the care and custody of school buildings, and shall have charge of the construction and repair of schoolhouses ordered by the Municipal Board, subject to the limitations of Act Numbered Seventy-four.¹ [183—24; 267—5.]

Sec. 25. Powers and duties of heads of departments.—Each head of department of the city government shall be in control of such department, under the direction and supervision of the Board, and shall possess such powers as may be prescribed herein or by ordinance. He shall make requisition in duplicate for all funds required for the use of his department during the ensuing month. All warrants drawn in accordance with such requisitions shall be in favor of the disbursing officer of the Board, and shall be disbursed pursuant to appropriations. The correctness of all pay rolls and

¹ **Amendments.**—Act No. 74 has been amended many times. See tables “Amended Acts” in front of volumes of Public Laws.

vouchers covering the payment of money shall be certified to by each head of department before payment, except as herein otherwise expressly provided. Each head of department shall deposit with the Treasurer of the Philippine Islands all moneys collected within his department, taking, as required by Act Numbered Seventeen hundred and ninety-two, receipts for all moneys so deposited. He shall submit to the Auditor for the Philippine Islands on the tenth day of each month an abstract showing all collections made within his department during the preceding month, supported by proper vouchers covering such receipts. He shall, ten days before the beginning of each quarter, prepare and submit to the Board, through the Auditor for the Philippine Islands, the following estimates: (a) An itemized estimate of the revenues of the department from all sources for the ensuing quarter, with a statement opposite each item of the amount realized from such source during the preceding quarter; (b) an itemized estimate of the ordinary expenses of the department for the ensuing quarter, with a statement opposite each item of the corresponding expenses during the preceding quarter; (c) an itemized estimate of such extraordinary expenditures as may be deemed necessary for any purpose, with an itemized statement of extraordinary expenditures during the preceding quarter. Such estimates shall contain a statement of the approximate total expenditure recommended, and the amount which it is expected to expend during the ensuing quarter. He shall, on or before the tenth day of July of each year, prepare and present to the Board an annual report, in duplicate, covering the operations of his office during the preceding fiscal year.

In case of the absence or sickness or inability to act for any other reason, of the head of one of the municipal departments, the officer next in charge of that department shall be authorized to sign all necessary papers, such as vouchers, requisitions, and so forth. [183—25; 267—6; 313—1.]

[“Act Numbered Seventeen hundred and ninety-two,” substituted for “rules fifty-one and fifty-two of Act Numbered Ninety” in line 14. Act No. 90 repealed.]

Sec. 26. City officers to devote time to business.—Each officer of the municipal government of Manila, except elective members of the Municipal Board, shall devote his time and attention exclusively during the usual office hours to the duties of his office: *Provided*, That it shall be the duty of the elective members to attend the regular sessions of the Municipal Board. No officer of the municipal government of Manila shall hold more than one office unless expressly provided by law. This section shall not apply to members of the local school board, or to other persons discharging public duties under the city government who receive no compensation for their services. [183—26; 1869—4.]

[Headnote not included in sec. 4, Act No. 1869.]

Sec. 27. Persons who are eligible for appointment to city offices.¹—No person shall be eligible for appointment to any city office who is not either (a) a citizen of the United States, or (b) a native of the Philippine Islands, or (c) a person who has, under and by virtue of the treaty of Paris, acquired the political rights of a native of the Islands. [183—27.]

Sec. 28. City officers not to engage in certain business transactions.—It shall be unlawful for any city officer, directly or indirectly, individually or as a member of a firm, to engage in any business transaction with the city through any of its authorized officials, boards, agents, or attorneys, whereby money is to be paid, directly or indirectly, out of the revenues of the city to such person or firm; or to purchase any real estate or other property belonging to the city, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of the city; or to be surety for any person having a contract or doing business with the city, for the performance of which security may be required; or to be surety on the official bond of any officer of the city. [183—28.]

Sec. 29. Action in case of separation from service of city officers.—Every city officer shall, at the expiration of his term, or upon resignation, deliver to his successor in office, who shall receipt for the same in duplicate, all property, books, and effects of every description in his possession, belonging to the city or pertaining to his office. One copy of the receipt shall be delivered to the retiring officer and the other copy filed with the Auditor for the Philippine Islands. All funds, whether collections or moneys appropriated for disbursement, shall be deposited in the Insular Treasury. Funds for disbursement shall be deposited as repayments to the respective appropriations to which they pertain and be available for withdrawal by warrant in favor of the successor. In case of the death or removal of any city officer, the Board shall at once take charge of the office, books, papers, property, and funds of the late incumbent, and forthwith notify the sureties on his official bond. Such sureties shall cause to be rendered to the Auditor the accounts current of the deceased or removed officer, and deposit or cause to be deposited, as aforesaid, the moneys with which such officer was chargeable. [183—29.]

Sec. 30. When Board must advertise for sealed bids or proposals.—Before entering upon any work or public improvement the total expense whereof shall exceed the sum of one thousand pesos, the Board shall advertise for sealed bids or proposals for the same in two daily newspapers published in Manila, one printed in English

¹ **Civil Service Law as to eligibility.**—See sec. 6, Act No. 1698, which after naming the classes preferred in appointments, giving them as in above section, has the following proviso: "*Provided, however, That with the approval of the Governor-General, persons other than those hereinbefore named in this section may be appointed.*"

and the other in Spanish, for a period of one week, the first insertion to be not less than ten days before the day fixed for opening such proposals. A plan or profile of the work to be done, accompanied by specifications for the performance of the same, shall, before advertisement, be placed on file in the office of the Board, or the department of the city government having charge of the work, which plan, profile, and specification shall, at all proper times, be open for public inspection. All bids shall be opened in the presence of the Board at the advertised time and place. Each bid shall be accompanied by a deposit, the amount and character of which shall be fixed by the Board and named in the advertisement, and which shall not exceed ten per cent of the estimated cost of the improvement or work to be done where the estimated cost exceeds two thousand pesos, nor be less than two hundred pesos in any case. Such deposit shall be forfeited to the city if the bidder shall neglect or refuse to enter into a contract, with approved sureties, to execute the work for the price mentioned in his bid and according to the plans and specifications, in case the contract shall be awarded to him. Should all bids be rejected, or should it become necessary for any reason to call for new bids, subsequent advertisement shall be for a period of five days before the proposals are opened, and in the manner above prescribed. [183—30.]

Sec. 31. Contracts in excess of one thousand pesos.—Every contract exceeding in amount the sum of one thousand pesos, for work, materials, or supplies, shall be let by the Board to the lowest responsible bidder: *Provided*, That the Board may, in its discretion, reject any and all bids, and if such bids are too high may purchase the material, hire the laborers, and supervise the work. Bonds, to be approved by the Board, shall be taken for the faithful performance of contracts; all such contracts shall be executed in triplicate by the Board and by the contractor; one original copy so executed shall be kept and filed in the office of the Board, one shall be filed in the office of the Auditor for the Philippine Islands, and the third shall be given to the contractor. Every contract for a sum greater than one thousand pesos shall be signed by the president of the Board and the secretary under the corporate seal. [183—31.]

Sec. 32. Contracts not in excess of one thousand pesos.—If the consideration for a contract shall not exceed one thousand pesos, the Board may authorize the head of any department, or any city officer, to execute such contract; but no expenditure shall be made for such purpose without the written order of the Board, which order shall be returned and filed as a voucher with the bill upon which payment was made. [183—32.]

Sec. 33. Duties of city engineer.¹—There shall be, under the Board, a city engineer, who shall be in charge of the department of

¹ Duties and powers under ordinances.—See title 3 of Revised Ordinances.

engineering and public works. He shall have charge of all the surveying and engineering work of the city, and shall perform such services in connection with public improvements, or any work entered upon or projected by the city, or any department thereof, as may require the skill and experience of a civil engineer. He shall ascertain, record, and establish monuments of the city survey and from thence extend the surveys of the city, and locate, establish, and survey all city property, and also private property abutting on the same, whenever directed by the Board; shall prepare and submit plans, maps, specifications, and estimates for buildings, streets, bridges, docks, and other public works, and supervise the construction and repair of the same; shall make such tests and inspection of engineering materials used in construction and repair as may be necessary to protect the city from the use of materials of a poor or dangerous quality; shall inspect and report upon the condition of public property and public works whenever required by the Board; shall have the care and custody of all public buildings, when erected, including markets and slaughterhouses and all buildings rented for city purposes, and of any system now or hereafter established for lighting the streets, public places, and public buildings of the city; shall prevent the encroachment¹ of private buildings and fences on the streets and public places of the city; shall inspect and supervise the construction, repair, removal, and safety of private buildings; shall regulate and enforce the numbering of houses, in accordance with the ordinances of the city; shall have the care of all public streets, parks, and bridges; shall maintain, clean, sprinkle, and regulate the use of the same for all purposes as provided by ordinance; shall collect and dispose of all garbage, refuse, the contents of closets, vaults, and cesspools, and all other offensive and dangerous substances within the city; shall have the care and custody of all public docks, wharves, piers, levees, and landing places, when erected; shall have general supervision and inspection of all private docks, wharves, piers, levees, and landing places, and other property bordering on the harbor, river, esteros, and waterways of the city; and shall issue permits for the construction, repair, and removal of the same, and enforce all ordinances relating to the same; shall have the care and custody of the public system of waterworks and sewers, and all sources of water supply and shall control, maintain, and regulate the use of the same, in accordance with the ordinances relating thereto; shall inspect and regulate, subject to the approval of the Board, the use of all private systems for supplying water to the city and its inhabitants, and all private sewers and their connections with the public sewer system. He shall file and preserve all maps, plans, notes, surveys, and other papers and documents pertaining to his office. He shall supervise the laying of mains and connections for the purpose of supplying gas to the

¹ Occupancy for building.—See chapter 88 of Revised Ordinances.

inhabitants of the city. He shall have power, subject to the approval of the Municipal Board, to cause buildings dangerous ¹ to the public to be made secure or torn down, and shall supervise and regulate the locations and use of engines, boilers, forges, and other manufacturing and heating appliances in accordance with the law and ordinance relating thereto. [183—33; 267—7; 1141—1; 1150—11.]

Sec. 34. Assistants to city engineer.—To assist the city engineer in the discharge of his official duties, there shall be employed under his direction a first assistant city engineer, two second assistant city engineers, and such other employees as may be authorized by law. [183—34.]

["And such other employees as may be authorized by law" substituted for employees there named, which have changed with successive appropriation Acts. Compare sec. 34, Act No. 183, with sec. 1, Act No. 1706.]

Sec. 35. Duties of chief of police.—There shall be, under the Board, a chief of police, who shall have charge of the department of police,² and everything pertaining thereto, including the or-

¹ **Unsafe structures.**—See chapter 14 of Revised Ordinances.

² **Police regulations.**—Secs. 4-9, 11, Act No. 286, and a portion of sec. 1, Act No. 1706, are as follows:

Sec. 4. Chief of police and assistant, duties.—"The duties of chief of police shall be as prescribed by section thirty-five of the Charter of Manila. The duties of the assistant chief of police and inspector shall be to act as chief of police in the absence or inability to act of the chief of police and under the direction of such chief to look after the discipline of the police force and to perform such other duties as may be imposed upon him by the chief. Section thirty-six of the Charter of Manila, in so far as it conflicts with these provisions, is hereby repealed." [286—4.]

Sec. 5. Duties of chief of secret service.—"The chief of the secret service shall, under the chief of police, have charge of the detective work of the department and of the detective force hereby provided, and shall perform such other duties as may be assigned to him by the chief of police or may be prescribed by law or ordinance." [286—5.]

Sec. 6. Duties of captains, lieutenants, and sergeants.—"The several captains, lieutenants, and sergeants hereby provided for shall, under the direction of the chief of police, have charge of the roundsmen placed under their command by the chief of police, and shall see to the efficient policing of their respective beats and the maintenance of discipline over the men respectively placed in their charge, and shall perform such other duties as may be assigned to them by the chief of police or by law or ordinance." [286—6.]

Sec. 7. Duties of roundsmen and patrolmen.—"The various roundsmen and patrolmen hereby provided for will perform such police duty in maintaining law and order within the police jurisdiction of the city of Manila as is required of them by their superior officers pursuant to law and the ordinances of the city of Manila." [286—7.]

Sec. 8. Special duties of river and harbor police.—"The special duties of the river and harbor police hereby provided for shall be to see that all laws and ordinances and lawful orders emanating from the chief of police, the Collector of Customs * * * and the Bureau of Health that relate to the policing of the Pasig River and Manila Bay are complied with, and to arrest all violators of the same, and to perform such other duties as may be assigned to them by the chief of police or by law or ordinance." [286—8.]

ganization, government, discipline, and disposition of the city police and detective force; shall quell riots, disorders, disturbances of the peace, and shall arrest and prosecute violators of any law or ordinance; shall exercise police supervision over all land and water within the police jurisdiction of the city; shall be charged with the protection of the rights of persons and property wherever found within the jurisdiction of the city, and shall arrest without warrant, when necessary to prevent the escape of the offender, violators of any law or ordinance, and all who obstruct or interfere with him in the discharge of his duty; shall be responsible for the safe-keeping of all prisoners until they shall be released from custody, in accordance with law, or delivered to the warden of the proper prison or penitentiary; may take good and sufficient bail for the appearance before the city court of any person arrested for violation of any city ordinance; shall have authority, within the police limits of the city, to serve and execute criminal processes of any court; shall, either in person or by deputy, attend all sessions of the city courts, and shall promptly and faithfully execute all orders of the Board, and all writs and processes of the city courts and all criminal processes of

SEC. 9. **Classes of sergeants, roundsmen, and patrolmen.**—"The sergeants, roundsmen, and patrolmen * * * are hereby divided into three classes. Those of the first class shall have a thorough knowledge of the English language and be familiar with the duties of a policeman; those of the second class shall have acquired a sufficient knowledge of the English language to transact ordinary business; those of the third class shall consist of those who do not speak the English language, but speak, read, and write the Spanish language. A second-class sergeant, roundsman, or patrolman shall be paid twenty-five per cent more than those of the third class, and whenever any sergeant, roundsman, or patrolman of the latter class shall have acquired a fair knowledge of the English language and is otherwise competent, he may be promoted by the chief of police to a position in the second class." [286—9.]

SEC. 11. **Uniforms.**—"Each officer and member of the police force shall be required to pay for his own uniform, which will be supplied to him by the police department: *Provided*, That materials for uniforms may be sold at cost price to members of the uniformed force for their personal use * * *." [286—11; 1706—1.]

Pay of patrolmen by classes.—" * * * "The pay of patrolmen, first class, shall be at the rate of one thousand eight hundred pesos per annum each for the first year of service, two thousand pesos per annum each for the second year, two thousand one hundred and sixty pesos per annum each for the third year, and two thousand two hundred and eighty pesos per annum each for the fourth and succeeding years. * * * The pay of patrolmen, second class, shall be at the rate of six hundred pesos per annum each for the first year of service, seven hundred and fifty pesos per annum each for the second year, eight hundred and twenty-four pesos per annum each for the third year, and nine hundred pesos per annum each for the fourth and succeeding years. * * * The pay of patrolmen, third class, shall be at the rate of four hundred and eighty pesos per annum each for the first year of service, six hundred pesos per annum each for the second year, six hundred and sixty pesos per annum each for the third year, and seven hundred and twenty pesos per annum each for the fourth and succeeding years." [1706—1.]

the Court of First Instance of the city of Manila, when placed in his hands for that purpose. He shall have such further powers and perform such further duties as may be prescribed by law or ordinance. [183—35; 286—4.]

Sec. 36. Duties of chief of secret service.—The chief of police shall have an assistant, to be known as the chief of the secret service, who shall have charge of the detective force, and shall perform such other duties as may be assigned to him by the chief of police or be prescribed by ordinance. [183—36; 286—4.]

[See also secs. 4, 5, Act No. 286, note to last preceding section.]

Sec. 37. Powers and duties of peace officers.—The members of the Board, the chief of police, the chief of the secret service, and all officers and members of the police force and secret service shall be peace officers; and all peace officers created by this Act, or authorized by law, or ordinance, are authorized to serve and execute all processes of municipal courts and criminal processes¹ of Insular courts to whomsoever directed, within the jurisdictional limits of the city or within the police limits as hereinbefore defined; and within the same territory they may pursue and arrest, without warrant,² any person found in suspicious places or under suspicious circumstances reasonably tending to show that such person has committed, or is about to commit, any crime or breach of the peace; may arrest or cause to be arrested, without warrant, any offender when the offense is committed in the presence of a peace officer or within his view; and in such pursuit or arrest may enter any building, ship, boat, or vessel, or take into custody any person therein suspected of being concerned in such crime or breach of the peace, and any property suspected of having been stolen. They shall detain such person only until he can be brought before the proper magistrate, and shall have such other powers and perform such other duties as peace officers as may be prescribed by law or ordinance. Whenever the Board shall deem it necessary, to avert danger or to protect life and property, in case of riot, disturbance, or public calamity, or when it has reason to fear any serious violation of law and order, it shall have power to swear in special police, in such numbers as the occasion may demand. Such special police shall have the same powers while on duty as members of the regular force. [183—37.]

Sec. 38. Duties of city attorney; to have one assistant.—The law department shall consist of the offices of the city attorney and the

¹ Similar provisions.—See also sec. 1, Act No. 1546, and sec. 6, Act No. 1764.

² Arrest without warrant.—A policeman who, without a warrant, arrests for a misdemeanor a person who has not committed any misdemeanor, commits the crime of *coacción* (coercion). (Following *U. S. v. Ventosa*, 6 Phil., 385): *U. S. v. Alexander*, 8 Phil., 29.

prosecuting attorney. The city attorney shall be the chief legal adviser of the city and all offices and departments thereof; shall represent the city in all civil cases now pending or hereafter brought in any court wherein the city or any officer thereof in his official capacity is a party; shall attend, when required, meetings of the Board, draw ordinances, contracts, bonds, leases, and other documents involving any interest of the city, and inspect and pass upon all such documents already drawn; shall give his opinion in writing when requested by the Board upon any question relating to the city, or the rights or duties of any city officer; shall appear in behalf of the city in all civil cases; shall, whenever it is brought to his knowledge that any city officer is guilty of neglect or misconduct in office, or that any person, firm, or corporation holding or exercising any franchise or public privilege from the city, has failed to comply with any condition, or to pay any consideration mentioned in the grant of such franchise or privilege, investigate the same and report to the Board; shall, when directed by the Board, institute and prosecute in the city's interest a suit on any bond, lease, or other contract, and upon any breach or violation thereof; prosecute and defend all civil actions related to or connected with any city office or interest of the city. He shall at all times render such professional services as the Board may require, and shall have such powers and shall perform such other duties as may be prescribed by law or ordinance. He shall have one assistant, to be known as assistant city attorney. [183—38.]

Sec. 39. Duties of prosecuting attorney; to have three assistants.—The prosecuting attorney of the city of Manila shall have charge of the prosecution of all crimes, misdemeanors, and violations of city ordinances, in the Court of First Instance and the municipal court of the city of Manila. He shall investigate all charges of crimes, misdemeanors, and violations of ordinances, and prepare the necessary informations or make the necessary complaints against the persons accused, and discharge all other duties in respect to criminal prosecutions enjoined upon provincial fiscals in the General Provincial Act and the Criminal Code of Procedure. There shall be three assistant prosecuting attorneys, who shall assist the prosecuting attorney as he shall direct. The prosecuting attorney or any of his assistants may, if he deems it wise, conduct investigations in respect to crimes, misdemeanors, and violations of ordinances by taking oral evidence of reputed witnesses, and for this purpose may, by subpœna, summon witnesses to appear and testify under oath before him, and the attendance or evidence of an absent or recalcitrant witness may be enforced by application to the municipal court or the Court of First Instance. [183—39: 612—1, 2.]

No witness summoned to testify under this section shall be under obligation to give any testimony tending to criminate himself, and no testimony elicited from a witness by such examination under oath before the prosecuting attorney or his assistants under this sec-

tion shall be used against such witness in any prosecution pending, or thereafter instituted against him, for any crime or offense. [183—39.]

Any person who shall willfully and corruptly swear or testify falsely to any material matter under such oath shall be guilty of perjury and shall be punished by imprisonment for not less than two nor more than ten years. [503—1.]

The prosecuting attorney shall cause to be investigated the causes of sudden deaths which have not been satisfactorily explained and when there is suspicion that the causes arose from the unlawful acts or omissions of other persons, or from foul play. For that purpose, he may cause autopsies to be made in case it is deemed necessary, and shall be entitled to demand and receive for purposes of such investigations or autopsies the aid of all surgeons connected with the police force of Manila. In case the prosecuting attorney shall deem it necessary to have further assistance for the successful accomplishment of the purpose last above stated, he shall make application to the Director of Health for the detail of the chief health inspector to assist in such investigation, and the Director of Health shall thereupon make such detail, and the chief health inspector shall assist in the investigations herein provided. [267—9.]

Sec. 40. Municipal court provided for.—There shall be one judicial district in the city, which shall include all territory within the police jurisdiction of the city. There shall be a municipal court with territorial jurisdiction embracing the entire police jurisdiction of the city. There shall be a daily session of the municipal court, Sundays and legal holidays alone excepted. Said court shall have exclusive jurisdiction over all criminal cases¹ arising under the ordinances of the city, and over all criminal cases arising under the penal laws of the Philippine Islands, where the offense is committed within the police jurisdiction of the city and the maximum punishment is by imprisonment for not more than six months, or a fine² of not more than two hundred pesos, or both. Such court

¹ **Criminal jurisdiction.**—Same as that of justices' courts: *U. S. v. Jeng*, 2 Phil., 179.

² **Subsidiary imprisonment.**—Secs. 3 and 4 of Act No. 1732 are as follows:

"SEC. 3. When a fine is imposed as a whole or any part of the punishment for any criminal offense made punishable by any municipal ordinance or ordinances of the city of Manila, the court shall also sentence the guilty person to suffer subsidiary imprisonment at hard labor at the rate of one peso per day until the fine is satisfied: *Provided, however*, That nothing herein contained shall be construed to prevent the levying of execution upon the goods and property of the guilty person or the prosecution of any other civil remedy which the law may afford." [1732—3.]

"SEC. 4. The provisions of articles fifty, fifty-one, and fifty-two of the Penal Code of the Philippine Islands in relation to subsidiary imprisonment, which were modified and partially repealed in so far as concerns the municipal court of the city of Manila by Act Numbered One hundred and eighty-three as amended, are hereby reenacted." [1732—4.]

may also conduct preliminary examinations for any offense, without regard to the limits of punishment, and may release, or commit and bind over any person charged with such offense to secure his appearance before the proper court. Said court shall have no civil jurisdiction except for the forfeiture and collection of bonds given in cases or proceedings pending therein. In a prosecution for the violation of any ordinance, the first process shall be a summons: *Provided, however,* That a warrant for the arrest¹ of the offender may be issued in the first instance upon the affidavit of any person that such ordinance has been violated, and that the person making the complaint has reasonable grounds to believe that the party charged is guilty thereof; and such warrant shall conclude: "Against the ordinances of the city in such case made and provided." All proceedings and prosecutions for offenses against the laws of the Philippine Islands shall conform to the rules relating to process, pleading, practice, and procedure now or hereafter established for the judiciary of the Islands, and such rules shall govern said court and its officers in all cases in so far as the same may be applicable. Every person arrested shall, without unnecessary delay, be brought before the municipal court, the justice of the peace, or a Court of First Instance for preliminary hearing, release on bail, or trial. The judge shall have power to enforce all processes of the court, compel the attendance of witnesses, and punish all contempts of court by fine or imprisonment, or both, under the limitations imposed by the Code of Civil Procedure. He may require of any person arrested a bond for good behavior or to keep the peace, or for the further appearance of such person before a court of competent jurisdiction, and no such bond shall be accepted unless it be executed by the person in whose behalf it is made, with sufficient surety or sureties, to be approved by said court. There shall be taxed against and collected from the defendant, in case of his conviction in said court, such costs² and fees as may be prescribed by the Board, which costs and fees shall not exceed those charged in criminal cases in justices' courts. All fines and forfeitures, fees, and costs imposed shall be collected by the clerk of the court, who shall keep a docket of all fines, forfeitures, costs, and fees imposed, and of those collected, and shall pay collections of

¹ **Orders of arrest.**—Judge of municipal court can issue orders of arrest for accused persons residing outside of jurisdiction in cases of crimes or misdemeanors within his authority or preliminary investigations he may conduct; no limitation upon judge similar to that prescribed for justices of the peace by sec. 30, Act No. 1627; Insular Constabulary and other peace officers obliged to serve orders of arrest: Op. Atty.-Gen., 6 Off. Gaz., 122.

² **Costs and fees in municipal court.**—Sec. 493, Code of Civil Procedure, is as follows: "In an action pending in any municipal court hereafter established the costs to be allowed the plaintiff or defendant shall be the same as those allowed in an action pending before a justice of the peace, as herein provided." In view of this provision see, therefore, sec. 491, Code of Civil Procedure, and sec. 26, Act No. 1627.

the same to the city assessor and collector for the benefit of the city, on the next business day after the same are collected and receive receipts therefor. The judge shall examine the docket of fines, forfeitures, fees, and costs each day, compare the same with the amount receipted for by the city assessor and collector, and satisfy himself that all fines, forfeitures, fees, and costs have been duly accounted for. The court shall also have power to administer oaths and to give certificates thereof; to issue summons, writs, warrants, executions, and all other processes necessary to enforce its orders and judgments. The clerk of the court shall have power to administer oaths. The clerk of the court shall keep its seal and affix it to all orders, judgments, certificates, records, and other documents issued by the court. He shall keep a docket of the trials in the court, in which he shall record in a summary manner the name of the defendant, the charge against him, the name of the prosecuting witness, the date of the arrest, the appearance of the defendant, the date of the trial, and the nature of the judgment, together with the fines and costs adjudged or collected in accordance with the judgment. The chief of police shall be the executive officer of the court and shall, either in person or by deputy, attend all sessions, serve all processes, and execute all orders and judgments of the same. [183—40; 612—2; 1732—4.]

The clerk of the court shall execute a bond to the city of Manila in the penal sum of ten thousand pesos, with sufficient surety or sureties to be approved by the judge of the court, conditioned for the faithful performance of the duties of his office by himself and his deputies, and for the payment to the city assessor and collector of all sums of money officially received by him or them, in accordance with law. The bond shall be lodged and filed in the office of the Insular Auditor. The clerk may require sufficient bonds of indemnity to be executed to him by his deputies. [267—10; 612—2.]

["Auditor" substituted for "Treasurer" in line 8 of above paragraph. See sec. 37, Act No. 1792.]

The limitations upon the criminal jurisdiction of the municipal court hereinbefore stated are subject, nevertheless, to the proviso that said court shall also have concurrent jurisdiction with the Courts of First Instance over all criminal cases arising under the laws relating to gambling and management of lotteries, and to assaults where the intent to kill is not charged or evident upon the trial, to larceny and embezzlement where the amount of money or property stolen or embezzled does not exceed the sum or value of two hundred pesos, to the sale of intoxicating liquors, to falsely impersonating an officer, to malicious mischief, to trespass on Government or private property, and threatening to take human life; but in all such cases an appeal to the Court of First Instance upon proper application shall be allowed as in other cases. [267—10.]

The Governor-General, by and with the consent of the Commission, shall appoint a judge and clerk for such new municipal court, and a vacancy occurring in the clerkship, after the first appointment, shall be filled under the provisions and restrictions of the Civil Service Act.¹ A temporary vacancy in the office of the judge, occasioned by sickness or absence, shall be filled by appointment by the Governor-General. It shall not be within the power of a defendant in the municipal court in a case triable in that court to demand a preliminary examination, except a summary one, the extent of which shall be within the discretion of the court, to enable the court to fix the bail, in any case where the prosecution announces itself ready and is ready for trial within three days, not including Sundays, after the request for a preliminary examination is presented to the court. In cases triable only in the Court of First Instance in the city of Manila, the defendant shall have a speedy trial, but shall not be entitled as of right to a preliminary examination² in any case where the prosecuting attorney, after a due investigation of the facts, under section thirty-nine of the Act [No. 183—Charter], of which this is an amendment shall have presented an information against him in proper form: *Provided, however,* That the Court of First Instance may make such summary investigation into the case as it may deem necessary to enable it to fix the bail or to determine whether the offense is bailable. [612—2.]

In case of a temporary vacancy in the office of judge by reason of sickness or absence by the judge, the Governor-General, by and with the consent of the Commission, may appoint an acting judge to preside during the disability or absence of the regular judge, and such acting judge shall have all the powers given by law to the regular judge, and shall receive a compensation during the time that he shall act at the same rate as the regular judge. During the period when such acting judge is performing the duties of a regular judge, the regular judge shall receive no salary, except such as he might be entitled to by reason of an earned leave of absence under existing law. [267—10.]

A person residing in the United States who is appointed * * * judge of the municipal court³ of the city of Manila shall, if appointed in the United States, be paid the traveling expenses of himself and family from his place of residence to Manila, if he shall come by the route directed by the Chief Executive of the Islands. He shall be allowed one-half salary from the date of leaving home to come to Manila, and full salary from the date of his arrival in

¹ Civil Service Act.—See Act No. 1698.

² Preliminary examination.—Accused is “not entitled as of right to”: U. S. v. Wilson, 4 Phil., 317; U. S. v. McGovern, 6 Phil., 621.

³ Leave of absence and salary of judge.—For provisions as to certification required of judge before leave granted or salary paid see sec. 1, Act No. 1552.

the Islands: *Provided*, That he proceeds directly to the Islands; otherwise, he shall be allowed half salary for such time only as is ordinarily required to perform the journey from his place of residence to Manila. If one has been employed as * * * judge of the municipal court of the city of Manila for three years, he shall, if he so requests, upon retirement from the service, be furnished with transportation for himself and family from Manila to his place of residence. [1747—1.]

[With certain modifications intended to present the original text as amended by later Acts, the above section appears as "revised and practically rewritten" for sec. 487, Compilation of the Acts of the Philippine Commission. The last paragraph is inserted because an implied amendment of charter.]

Sec. 41. Certain requirements to be complied with before confinement of city prisoners.—No person shall be confined in the city prison by sentence of the municipal court until the warden or officer in charge of the prison shall receive a written commitment showing the offense for which the prisoner was tried, the date of the trial, the exact terms of the judgment or sentence, and the date of the order of commitment. The clerk shall, under seal of the court, issue such a commitment in each case of sentence to imprisonment. [183—41; 612—2.]

Sec. 42. Appeals to Courts of First Instance.¹—An appeal shall lie to the Court of First Instance next to be held within the city, in all cases of acquittal,² or where fine or imprisonment, or both, is imposed by the municipal court. To perfect an appeal, the party desiring to appeal shall, before six o'clock postmeridian of the day after the rendition and entry of the judgment by the municipal court, file with the clerk of the court a written statement that he appeals to the Court of First Instance. The filing of such statement shall perfect the appeal. The judge of the court from whose decision appeal is taken shall, within five days after the appeal is

¹ **Appeals; validity of ordinance.**—Judgment, in a criminal case appealed to the Court of First Instance of Manila from the municipal court, is final unless the validity or constitutionality of a statute is drawn into question: Sec. 43, G. O. No. 58; *U. S. v. Jeng*, 2 Phil., 179; *Trinidad v. Sweeney et al.*, 4 Phil., 531; *Legaspi v. Sweeney*, 5 Phil., 157; *U. S. v. Trinidad*, 7 Phil., 325. Ordinance of city of Manila is a law, "statute," within meaning of sec. 43, G. O. No. 58; *Trinidad v. Sweeney et al.*, 4 Phil., 531. If question one of interpretation and not of validity of ordinance, Supreme Court has no jurisdiction: *U. S. v. Que Bing et al.*, 6 Phil., 513.

Mandamus.—Petition for, to compel judge of First Instance to allow appeal is demurrable, unless it affirmatively appears therein that validity or constitutionality of statute or ordinance is drawn into question: *Legaspi v. Sweeney*, 5 Phil., 157.

² **Portions of section inoperative.**—"Of acquittal or" in line 3 and "from whose decision appeal is taken" in line 9, rendered inoperative by decision in *Kepner v. U. S.*, 195 U. S., 100; Note to sec. 135, *Lobingier on Philippine Practice*.

taken, transmit to the clerk of the Court of First Instance a certified copy of the record of proceedings and all the original papers and process in the case, and the clerk of the Court of First Instance shall docket the appeal in that court. A perfected appeal shall operate to vacate¹ the judgment of the municipal court, and the action, when duly entered in the Court of First Instance, shall stand for trial *de novo*² upon its merits in accordance with the regular procedure in that court, as though the same had never been tried and had been originally there commenced. Pending an appeal, the defendant shall remain in custody unless released in the discretion of the judge of the municipal court or of the judge of the Court of First Instance, upon sufficient bail, in accordance with the rules and regulations now or hereafter in force, to await the judgment of the appellate court. [183—42; 612—4.]

In the municipal court of Manila judicial notice shall be taken of all municipal ordinances passed by the Municipal Board for the city of Manila, and no proof of the same shall be required; and in cases of appeals from judgments of the municipal court in the Court of First Instance, the same rule of evidence shall obtain. [612—5.]

[Last paragraph inserted because an implied amendment of charter.]

Sec. 43. Duties of sheriff³ of Manila.—The clerk of the Court of First Instance for the city of Manila shall perform *ex officio* the duties of sheriff of the city of Manila, and shall receive a salary at

¹ **Withdrawal of appeals; "vacate" construed.**—An appeal from the judgment of the municipal court to the Court of First Instance may not be withdrawn. "Vacate" means "to annul," "to render void;" does not mean "to suspend," "to set aside temporarily": *Bautista v. Johnson*, 2 Phil., 230.

² **Double jeopardy.**—Prosecution and conviction in municipal court of crime punished in sec. 619 of Revised Ordinances, and later prosecution and conviction in Court of First Instance of crime punished by art. 257, Penal Code, does not justify the plea of jeopardy; an act may be an offense under laws of State and other penalties under proper authority may be imposed for its commission by a municipal ordinance; and enforcement of one penalty by State does not preclude enforcement of other by municipality: *U. S. v. Gavieres*, 10 Phil., 694. See also *U. S. v. Flemister*, 5 Phil., 650.

³ **Further duties of sheriff.**—For the purpose of reference on this subject the following provisions are given:

(a) **Officer of Court of First Instance:** * * * "In the city of Manila the officer of the Court of First Instance shall be the sheriff or his deputy." [1680—1.]

(b) **Officer of courts in Manila:** "The officer of the Supreme Court to serve its process and enforce good order in and about the court room of the courts in session at Manila shall be the sheriff of the city of Manila. The sheriff of the city of Manila * * * may, in person or by his deputies, serve any process, preliminary or final, issued from the Supreme Court, a Court of First Instance, or court of justice of the peace in the city of Manila." * * * [136—25; 1546—1.]

the rate of two thousand pesos per annum as additional compensation for performing such duties. The sheriff and his deputies shall charge and collect for the service of all civil process the fees provided in the Code of Civil Procedure only, and all fees collected by them for such service shall be paid to the city assessor and collector, and the sheriff shall be answerable therefor upon his bond. The fees charged by the sheriff and his deputies for the service of criminal process shall be such as are provided in the Code of Criminal Procedure to be adopted¹ and when collected shall be paid to the city assessor and collector. Such fees shall be taxed as a part of the costs against defendants who are convicted in criminal prosecutions and sentenced to pay the costs. The sheriff shall pay to the city assessor and collector, on the first day of each month, all fees collected by him and his deputies for the service of civil process during the preceding month, and shall at the same time deliver to the Auditor for the Philippine Islands an itemized statement of such fees. The salary of the *ex officio* sheriff as additional compensation, and the salaries of the deputy sheriffs, shall be paid from the revenues of the city of Manila. The sheriff is also authorized to expend a sum not to exceed six pesos per day for the transportation of prisoners by himself and deputies and for the general service

(c) **Custodian of court buildings; repairs, books, etc.:** "In the city of Manila the sheriff of the city shall be the legal custodian of the buildings occupied by the Supreme Court, Court of First Instance, municipal court, and court of justice of the peace, and the public property therein, except the books, records, and papers appertaining to the offices of the clerks of the courts, and shall be responsible for the preservation and care of such buildings and property.

"All expenses incident to the repair, alteration, and custody of court buildings in the provinces, and to the purchase of equipment and supplies, including necessary books and stationery, shall be borne by the several provincial treasuries. All expenses of the character last mentioned incurred as to the Court of First Instance in the city of Manila shall be paid for from the city treasury; but no expenses for either purpose shall be incurred without the prior authority of the provincial board in the province or of the Municipal Board in the city of Manila, as the case may be. The necessary estimates for repairs, furniture, and equipment of the court-houses in the provinces shall be made by the governors or sheriffs, as the case may be; and for the city of Manila, by the sheriff thereof.

"All expenses incident to the repair and alteration of the buildings used by the Supreme Court in the city of Manila, and for the purchase of equipment and supplies of the Supreme Court, including the necessary books and stationery, shall be paid by the Insular Government, and the necessary estimates for repairs, furniture, and equipment of that portion of the Supreme Court building occupied by the Supreme Court shall be made by the sheriff of the city of Manila. Estimates for the purchase of necessary stationery and books for the use of that court shall be made by the clerk of that court. All that part of Act Numbered One hundred and fifty-two relating to the custody of court-houses that is inconsistent with this section is hereby repealed." [152—1; 267—12.]

(d) **Court of Land Registration:** Sheriff also officer of. See sec. 3, Act No. 1680.

¹ **Fees.**—See especially Act No. 1764 and sec. 2, Act No. 1680.

of the process of the courts throughout his jurisdiction, and which shall be paid from the revenues of the city. The sheriff may, in writing, appoint special deputies for the service of any particular process, who shall be paid only by fees, in accordance with the scale of fees provided in the Civil and Criminal Codes of Procedure.¹ The sheriff and his deputies shall be peace officers with the powers set forth in section thirty-seven: *Provided, however,* That whenever civil process shall be issued from, and returnable to, a court outside of the city of Manila, service whereof must be made in the city of Manila, the traveling fees to be charged for such service shall be two pesos, and no more, to be paid to the city assessor and collector as before provided. The officer transmitting the same to the sheriff of the city of Manila shall charge and receive no traveling fees for such service in the city of Manila or for the return of the process to the court whence it issued.

Sections twenty-five and twenty-seven of Act Numbered One hundred and thirty-six, providing for the organization of courts, are hereby repealed so far as they conflict with this section, but in all other respects remain in full force. [183—43; 1324—1; 1546—1.]

Sec. 44. Justice² and auxiliary justice³ of the peace provided for.—There shall be appointed by the Governor-General, by and with the advice and consent of the Commission, a justice of the peace and an auxiliary justice of the peace for the city of Manila, who shall hold office at the pleasure of the Governor-General and who shall exercise within the city of Manila the jurisdiction conferred upon justices of the peace in Act Numbered One hundred and thirty-six,⁴ providing for the organization of courts; but no

¹ **Fees.**—See especially Act No. 1764 and sec. 2, Act No. 1680.

² **Further provisions as to the justice of the peace.**—(a) **Bond of justice of the peace, Manila:** “The justice of the peace in the city of Manila, before entering upon the performance of his duties, shall execute a bond in such form and in such amount as shall be prescribed by the Insular Auditor, and any breach of its condition may be prosecuted in the name of the Government of the Philippine Islands for the benefit of any party in interest. No bond shall be required of justices of the peace outside of Manila.” [136—74; 234—1.]

[Above subsection of note appears as “revised and practically rewritten” for sec. 2245, Compilation of the Acts of the Philippine Commission.]

(b) **Clerks allowed justice:** “The justice of the peace of Manila shall be allowed two clerks with salaries to be fixed in the annual appropriation Act for said city.” [1741—2.]

³ **Further provision as to the auxiliary justice; salary.**—“The auxiliary justice of the city of Manila * * * shall * * * receive for the trial of each cause certified to him by the regular justice * * * the sum of three pesos, which amount shall be deducted from the salary of the regular justice.” [1741—3.]

[For provisions as to qualifications and duties of auxiliary justice see sec. 3, Act No. 1741.]

⁴ **Jurisdiction of justice of the peace.**—See particularly Act No. 1627.

justice of the peace, or auxiliary justice of the peace, of the city of Manila shall exercise any criminal jurisdiction, except as provided in section thirty-seven of Act Numbered Sixteen hundred and twenty-seven of the Philippine Commission, such jurisdiction within the city of Manila, with said exception, being confined to Courts of First Instance and to the municipal court. The justice of the peace shall receive a salary of three thousand pesos per annum, and shall charge and collect in all civil suits tried before him the fees provided for justices of the peace in the Code of Civil Procedure.¹ All fees so charged and collected by him during each month shall be paid by him on the first day of the succeeding month to the city assessor and collector. He shall at the same time deliver to the Auditor for the Philippine Islands an itemized statement of all such fees, and his accounts shall be audited by the Auditor for the Philippine Islands and for that purpose his dockets and books shall be examined by the Auditor. [183—44; 1546—1; 1627—1, 37; 1706—1.]

[With certain modifications intended to present the original text as amended by later Acts, above section appears as "revised and practically rewritten" for sec. 491, Compilation of the Acts of the Philippine Commission.]

Sec. 44a. Assessors² in courts in Manila.—The aid of assessors in the trial of any civil or criminal action in the court of the justice of the peace, the municipal court, or Courts of First Instance, within the city of Manila, may be invoked in the manner provided in the Code of Civil Procedure. It shall be the duty of the Municipal Board to prepare one list of the names of twenty-five residents of the municipality best fitted by education, natural ability, and reputation for probity to sit as assessors in the trial of actions in the municipal court and the courts of the justice of the peace, and a like list of persons to sit as assessors in the trial of actions in the Courts of First Instance within the city. The Municipal Board may at any time strike any name from the list so prepared, by reason of the death, permanent disability, or unfitness of the person named; and in case names are so stricken out other names shall be added in their place, to be selected as in this section provided. Parties desiring to avail themselves of the use of assessors in the court of the justice of the peace or the municipal court shall proceed as provided in sections fifty-eight to sixty-two, inclusive, of the Code of Procedure in Civil Actions and Special Proceedings, in force October first, nineteen hundred and one, and the method of summoning assessors and the compensation

¹ **Costs and fees in justice court.**—See sec. 491, Code of Civil Procedure, and sec. 26, Act No. 1627. See also Act No. 1764.

² **Assessors.**—Above section in extending right to invoke aid of assessors in criminal actions did not change provisions of sec. 43, G. O. No. 58: U. S. v. Trinidad, 7 Phil., 325.

and oath and duties of assessors shall be as provided in those sections. Parties desiring to avail themselves of the use of assessors in Courts of First Instance shall proceed as provided in sections one hundred and fifty-four to one hundred and sixty-one, inclusive, of said Code of Civil Procedure; and the method of summoning assessors, enforcing their attendance, excusing them from attendance, their compensation, oath, duties, and effect of dissent from the opinion of the judge shall be as provided in the last-named sections. [267—13.]

[“Municipal Board” substituted for “Advisory Board;” “the court of the justice of the peace” for “courts of justices of the peace”; and “the municipal court” for “municipal courts” throughout section in order to conform to existing law.]

Sec. 44b. Physicians as witnesses.—Out of the sum now or hereafter appropriated for contingent expenses of the law department of the city of Manila, the judge of the municipal court of the city of Manila or a judge of the Court of First Instance for the District of Manila, as the case may be, may in his discretion allow, in a meritorious case, compensation to physicians and surgeons summoned by the Government as expert witnesses in criminal prosecutions whenever the attendance of such physicians and surgeons is necessary in the interests of justice. The compensation so allowed shall not in any one case exceed the amount of five pesos, Philippine currency, for the testimony of the physician or surgeon so summoned, and the payment shall be made upon the certificate of the judge presiding at the trial that the witness attended and testified and that the case is an exceptional and meritorious one and that compensation ought to be allowed. The total payment to be made under the provisions of Act Numbered Twelve hundred and seventy-nine shall not exceed five hundred pesos, Philippine currency, in any fiscal year: *Provided, however,* That no payment shall be made and no certificate to entitle a physician or surgeon to payment shall be given when the witness is receiving a regular salary as an official or employee of the Government of the Philippine Islands, the city of Manila, or is an officer of the United States Army or Navy. [1279—1.]

[Above section inserted because an implied amendment of charter. The headnote does not appear in the original text. “Act Numbered Twelve hundred and seventy-nine” substituted for “this Act” in line 16.]

Sec. 45. Duties of chief of fire department.¹—There shall be, under the Board, a chief of the fire department. He shall have the management and control of all matters relating to the administration of the department as herein provided, and the organization,

¹ **Duties under ordinances.**—See title 7 and chapter 39 of Revised Ordinances.

government, discipline, and disposition of the fire force;¹ shall have charge of fire-engine houses, fire engines, hose carts, hooks and ladders, trucks, and all other fire apparatus; shall have full police powers in the vicinity of fires; shall have authority to remove any building or other property whenever it shall become necessary to prevent the spreading of fire or to protect adjacent property; shall investigate and report upon the origin and cause of all fires occurring within the city. He shall inspect all buildings erected or under construction or repair within the city and determine whether they provide sufficient protection against fire and comply with the ordinances relating thereto; shall have charge of the city telegraph, telephone, and fire-alarm service; shall supervise and regulate the stringing, grounding, and installation of wires for all electrical connections with a view to avoiding conflagrations, interference with public traffic or safety, or the necessary operations of the fire department; shall supervise and regulate the manufacture, storage, and use of petroleum, gas, acetylene, gunpowder, and other highly combustible matter and explosives, and shall see that the ordinances relating to these subjects are enforced. [183—45; 267—14.]

Sec. 46. Duties of city assessor and collector.—There shall be, under the Board, a city assessor and collector, who shall have charge of the department of assessments and collections. The real estate of the city of Manila shall be assessed and valued for taxation by the city assessor and collector and his authorized deputies, who are empowered to administer any oath authorized to be administered in the assessment or collection of taxes. It shall be the duty of every owner of real estate in the city of Manila to prepare, or cause to be prepared, a statement of the amount of land and the improvements

¹ **Pay of engineers and firemen by classes.**—A portion of sec. 1, Act No. 1706, reads: "The pay of engineers, first class, shall be at the rate of two thousand four hundred pesos per annum each for the first year of service, and may be at the rate of two thousand six hundred pesos per annum each for the second and succeeding years. * * * The pay of engineers, second class, shall be at the rate of nine hundred and sixty pesos per annum each for the first year of service, and may be at the rate of one thousand two hundred pesos per annum each for the second and succeeding years. * * * The pay of firemen, first class, shall be at the rate of one thousand eight hundred pesos per annum each for the first year of service, and may be at the rate of two thousand pesos per annum each for the second year, two thousand one hundred and sixty pesos per annum each for the third year, and two thousand two hundred and eighty pesos per annum each for the fourth and succeeding years. * * * The pay of firemen, second class, shall be at the rate of four hundred and eighty pesos per annum each for the first year of service, and may be at the rate of six hundred pesos per annum each for the second year, six hundred and sixty pesos per annum each for the third year, and seven hundred and twenty pesos per annum each for the fourth and succeeding years: *Provided*, That in computing the service of firemen, credit for previous service in the police department, city of Manila, may be allowed to employees transferred to the fire department. * * *" [1706—1.]

thereon which he owns, the annual rent or income received by him from each piece of his property for each of the three years preceding the statement, and a description sufficiently in detail to enable the city assessor and collector to identify the same on examination. The owner or his duly authorized agent shall verify such statement and swear to the same before any officer authorized by law to administer an oath. The statement shall be filed with the city assessor and collector on or before the sixteenth day of September, nineteen hundred and one. He shall make a list of all taxable real estate in the city, by districts, and the names of the owners in each district shall be arranged alphabetically, with a brief description opposite their names of the property owned by them and the cash value thereof. In making this list the city assessor and collector shall take into consideration any sworn statement made by the owners of the property, but shall not be prevented thereby from considering other evidence on the subject, and exercising his own judgment in respect thereto. For the purpose of completing this list he is authorized to summon witnesses, administer oaths to them, and subject them to examination concerning the ownership and the amount of real estate in each district, and its cash value. It shall be the duty of the city assessor and collector, so far as is necessary, to examine the records of the office of the city registrar showing the ownership of real estate in the city. [183—46; 214—1.]

Sec. 46a. (a) Ex officio city assessor.—* * * The Collector of Internal Revenue * * * shall be *ex officio* city assessor and collector of the city of Manila.

(b) **“Division of assessments and collections for the city of Manila,” Bureau of Internal Revenue.**—The office of the city assessor and collector of the city of Manila * * * is hereby constituted a division of the Bureau of Internal Revenue to be known as the division of assessments and collections for the city of Manila. The division of assessments and collections of the Bureau of Internal Revenue shall perform the duties and render the services required by existing laws of the city assessor and collector of the city of Manila and his deputies. The duties prescribed by the Internal Revenue Law of Nineteen hundred and four for provincial treasurers and their deputies shall be performed in the city of Manila by the division of assessments and collections. The Insular Government shall be reimbursed by the city of Manila for all costs incurred by the division of assessments and collections in the performance of the duties now imposed by law on the city assessor and collector of the city of Manila and his deputies, excepting costs incurred in the enforcement of the Internal Revenue Law of Nineteen hundred and four. The provisions of this paragraph shall be effective on January first, nineteen hundred and six. [1407—21 (a), (b).]

[Above section inserted because an implied amendment of charter. No headnotes appear in original text.]

Sec. 47. Rate per cent of annual tax for the years nineteen hundred and one, nineteen hundred and two, and subsequent years.—*[A tax of one per cent on the assessed value of all real estate in the city subject to taxation as hereinbefore provided is hereby levied for the unexpired portion of the year nineteen hundred and one: Provided, That every taxpayer who has paid the urbana tax on any house or building, or who has paid the frontage tax on any real estate for the year nineteen hundred and one, shall receive a credit on the tax hereby levied for the amounts paid as urbana or frontage taxes. The laws, general orders, or regulations under which the urbana tax and the frontage tax are now collectible in the city of Manila are hereby repealed except as to arrearages as hereinafter provided. All taxes on real estate for the year nineteen hundred and one shall be due and payable on or before the fifteenth day of February, nineteen hundred and two.]* An annual tax of one and one-half per cent on the assessed value of all real estate in the city subject to taxation as hereinbefore provided is hereby levied for the year nineteen hundred and two, and an annual tax of two per cent on the assessed value is hereby levied for the year nineteen hundred and three and each subsequent year. All taxes for the year nineteen hundred and two and each year thereafter shall be due and payable on or before the first day of July of each year, and if any taxpayer shall fail to pay the taxes assessed against him for the year nineteen hundred and one on or before the first day of March, nineteen hundred and two, or shall fail to pay such taxes assessed against him for the year nineteen hundred and two, and each succeeding year thereafter, on or before the first day of July of each year, respectively, he shall be delinquent in such payment, and shall be subject to an additional tax of fifteen per cent of the amount of the original tax as a penalty for such delinquency, to be collected at the same time and in the same manner as the original tax: *Provided, That at the option of the taxpayer the payment of one-half of the tax for the year nineteen hundred and two and each succeeding year thereafter may be postponed until the thirty-first day of December of such year, but if he fail to pay the first half of the tax on or before the first day of July, then the tax for the whole year shall be delinquent, and the penalty shall be due as hereinbefore provided. If any taxpayer, having paid the first half of the taxes due for the year nineteen hundred and two or any succeeding year, shall fail to pay the remaining half of the tax due for such year on or before the thirty-first day of December of that year, the penalty to be collected shall be fifteen per cent of the half of such annual tax then due. The penalties thus imposed shall be accounted for by the city assessor and collector in the same manner as the tax. In the event that such tax and penalty shall remain unpaid for fifteen days after the tax has become delinquent the city assessor and collector shall proceed to make collection thereof in the manner prescribed in sec-*

tions seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty, eighty-one, eighty-two, and eighty-three of the Municipal Code,¹ and all the provisions of said sections shall be applicable, and all the powers and duties conferred and imposed by said sections upon the provincial treasurer are imposed upon the city assessor and collector. The provisions of sections eighty-three, eighty-four, eighty-five, and eighty-six of the Municipal Code are hereby declared applicable as fully as though incorporated herein to all taxes assessed, penalties accruing, sales made of the real estate of the delinquent taxpayer, and suits instituted by him attacking the assessment of such taxes or the validity of sales made hereunder. It shall not be essential to the validity of tax sales of real estate hereunder that the city assessor and collector shall have attempted to make out of the personal property of the taxpayer the tax due upon his real estate. The remedy provided in the Municipal Code for the collection of taxes upon real estate by levying upon the personal property of the taxpayer shall be deemed to be cumulative only. The lien upon the real estate for taxes levied for the year nineteen hundred and one shall attach upon the passage of this Act. A lien for taxes due for any subsequent year shall attach on the first day of January of such year. [183—47.]

[Portion of above section in brackets is obsolete because temporary in nature.]

Sec. 48. Exemptions² from taxation.—Lands or buildings owned by the United States of America, the Central Government³ of the Philippine Islands, or the city of Manila, and burying grounds, churches, and their adjacent parsonages⁴ and conventos, and lands or buildings used exclusively for religious, charitable, scientific, or educational purposes, and not profit, shall be exempt from taxa-

¹ **Amendments and repeals.**—Municipal Code (Act No. 82) later amended; secs. 81, 82, 86, referred to above repealed by sec. 21, Act No. 1791. See Act No. 1791.

² **Further exemption, minimum value.**—Sec. 1 of Act No. 680 is as follows: "Whenever the entire final valuation of land or improvements thereon, for the purpose of taxation, either in the city of Manila or in any other one municipality, belonging to a single owner, shall not exceed the sum of fifty pesos, no land tax shall be assessed or collected upon such land or improvements. This section shall apply to all assessments of land taxes hereafter made, anything in existing law to the contrary notwithstanding. But all lands and improvements thereon shall be valued by the assessors of real estate, whether more or less than fifty pesos in value, in the manner provided by existing law." [680—1.]

³ **San Lazaro Estate.**—City can not lawfully demand and collect taxes on any part of property known as the San Lazaro Estate while it is owned by Government of Philippine Islands—reasons stated: Op. Atty.-Gen., 4 Off. Gaz., 28, 31.

⁴ **Parsonages and conventos.**—Residence of Archbishop of Catholic Church exempt from taxation because appurtenant ("adjacent") to cathedral: Catholic Church v. Hastings et al., 5 Phil., 701.

tion; but such exemption shall not extend to lands or buildings held for investment, though the income therefrom be devoted to religious, charitable, scientific, or educational purposes. [183—48.]

Sec. 49. Action in case owner of real estate fails to make return thereof.—If the owner of any parcel of real estate shall fail to make a return thereof, as provided in section forty-six, or if the city assessor and collector is unable to discover the owner of any real estate, he shall nevertheless list the same for taxation, charge the tax against the true owner, if known, and if unknown then as against an unknown owner. In case of doubt or dispute as to ownership of real estate, the taxes shall be levied against the possessor or possessors thereof. Where it shall appear that there are separate owners of the land and the improvements thereon, a separate assessment of the property of each shall be made.

In case the land and improvements, a statement of which it is the duty of the owner hereunder to file with the city assessor and collector, shall have been leased to another before the date of this Act on terms such that the leasehold held by the lessee is valuable, the owner of the land may in his statement request that the lessee or tenant of the leasehold be cited to appear and make a sworn statement of its value before the city assessor and collector. The city assessor and collector shall then proceed as in other cases to fix and assess the value of the leasehold. The owner of the land and improvements shall be required to pay taxes only on the total value of the land and improvements, less the value of the leasehold, while the lessee or tenant of the leasehold shall have assessed against him, and be required to pay, taxes upon the value of the leasehold. The remedies hereinbefore provided for the sale of land for collection of delinquent taxes thereon shall be applicable to the collection of delinquent taxes on leaseholds. [183—49.]

Sec. 50. Action in case real estate has escaped taxation.—If it shall be discovered by the city assessor and collector, or brought to his attention, that any taxable real estate in the city has escaped listing, it shall be his duty at once to list and value the same and charge against the owner thereof the taxes due for the current year and for all other years since the original assessment under this Charter was made, and the taxes thus assessed shall be legal and collectible by all the remedies herein provided, and interest and penalty shall be added to the back taxes as if they were assessed at the time when they should have been assessed. [183—50.]

Sec. 51. Certificate to be made by city assessor and collector.—The city assessor and collector shall complete the listing and valuation of all real estate situated within the city on or before the first day of December, nineteen hundred and one, and when completed shall authenticate the same by signing the following certificate at the foot of the list:

“I hereby certify that the foregoing list contains a true statement

of the piece or pieces of taxable real estate belonging to each person named in the list, and its true cash value, and that no real estate taxable by law in the city of Manila has been omitted from this list, according to the best of my knowledge and belief.

“.....”

(Signature.)

The city assessor and collector shall also authenticate subsequent assessments, as hereinafter provided for, by signing the foregoing certificate in connection with each such assessment. [183—51.]

Sec. 52. Notice to be given to public when tax list is completed.—When the list shall be completed in accordance with the foregoing section the city assessor and collector shall, by notice published for ten days in two newspapers of general circulation in the city, one printed in English and one in Spanish, inform the public that the list has been completed and is on file in his office, and may be examined by any person interested therein, and that upon a date fixed in the notice, which shall not be later than the fifteenth day of December, the city assessor and collector will be in his office for the purpose of hearing complaints as to the accuracy of the listing of the property and the assessed value thereof. It shall be his duty carefully to preserve and record in his office copies of said notices. On the day fixed in the notice, and for seven days thereafter, he shall be present in his office to hear all complaints filed within that period by persons against whom taxes have been assessed as owners of real estate, and he shall make his decision and enter the same in a well-bound book, to be by him kept for that purpose, within fourteen days from the date fixed for hearing complaints in such notice, and if he shall determine that injustice has been done or errors have been committed he is authorized to amend the list in accordance with his findings. [183—52.]

Sec. 53. Appeals from decisions of city assessor and collector.—In case any complainant before the city assessor and collector shall feel aggrieved by his decision, such complainant may, within ten days after the entry of such decision, appeal to the board of tax appeals constituted as hereinafter provided. He shall perfect his appeal by filing a written notice of the same with the city assessor and collector, and it shall be the duty of that officer forthwith to transmit the appeal to the board of tax appeals with all written evidence in his possession relating to such assessment and valuation. [183—53.]

Sec. 54. Board of tax appeals constituted.—The Municipal Board shall constitute the board of tax appeals. The president of the Municipal Board shall be president of the board of tax appeals, and the secretary of the Municipal Board shall be the secretary to the board of tax appeals and shall keep the record of its proceedings. [183—54.]

Sec. 55. Oath to be taken by each member of board of tax appeals.—Before organizing as such, the members of the board of tax appeals shall take the following oath before a justice of the peace or some other officer authorized to administer an oath in the city of Manila:

“I do solemnly swear (or affirm) that I will well and truly hear and determine all matters and issues between taxpayers and the city assessor and collector submitted for my decision. So help me God. (In case of affirmation the last four words to be stricken out.)

“.....
(Signature.)

“Subscribed and sworn to (or affirmed) before me this
day of, 190....

“.....”
(Signature of officer administering oath.)

The oath of each member shall be recorded by the secretary to the board in the minutes of its proceedings. [183—55.]

Sec. 56. Meetings of board of tax appeals.—The board of tax appeals shall meet on the second Monday in January of each year and shall hear all appeals duly transmitted to it, and shall decide the same forthwith. It shall have authority to cause to be amended the listing and valuation of the property in respect to which any complaint is made by order signed by the board or a majority thereof, and transmit it to the city assessor and collector, who shall amend the tax list in conformity with said order. It shall also have power to revise and correct, with the approval of the Executive Secretary first had, any and all erroneous or unjust assessments and valuations for taxation, and make a correct and just assessment, and state the true valuation in Philippine currency, in each case where it decides that the assessment previously made is erroneous or unjust. The list when so corrected shall be as lawful and valid for all purposes as though the assessment had been made within the time herein prescribed. Such reassessment and revaluation shall be made on due notice to the individual concerned and he shall be entitled to be heard by the board of tax appeals before any reassessment or revaluation is made. If he is dissatisfied with the action of the board of tax appeals he may appeal to the Executive Secretary, whose decision shall be final. The Executive Secretary may also, by direction of the Governor-General, on his own initiative, make such revision or revaluation as in his opinion the circumstances justify. [183—56; 1793—2.]

Sec. 57. When assessment may be increased or reduced.—The city assessor and collector shall, during the first three days of December of each year after the year nineteen hundred and one, add to the list of taxable real estate in the city the value of the improvements placed upon such property during the preceding year, and

reduce the assessments against any taxpayer whose improvements already assessed have been destroyed during the preceding year, and shall add to the list any property which is taxable and which has theretofore escaped taxation. He shall give ten days' notice by publication in two newspapers of general circulation published in the city of Manila, one printed in English and one in Spanish, that he will be present in his office for that purpose on said days. Appeals may be taken from the decisions of the city assessor and collector, under this section, to the board of tax appeals, as in case of original assessments. [183—57.]

Sec. 58. [*Repealed by sec. 9, Act No. 581.*]

Sec. 59. Money to be applied to school purposes.—One-fourth of all moneys realized from the real-estate tax herein provided for shall be devoted exclusively to the support of free public primary schools of the city, and to the erection and maintenance of suitable school buildings. The Municipal Board may, however, in its discretion, apply to the Commission for appropriations from the general resources of the city of additional funds for the support of such schools and the maintenance of such buildings. [183—59.]

Sec. 60. Cedula or registration tax.—All the provisions of sections twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-four, and thirty-five of Act Numbered One hundred and thirty-three,¹ entitled "An Act to amend the Provincial Government Act, Numbered Eighty-three," and which provides for the collection of an annual cedula or registration tax, are hereby made applicable to the city of Manila and its inhabitants, and the city assessor and collector shall discharge the same duties in respect to said tax and its collection that the provincial treasurer discharges under the above-mentioned sections of Act Numbered One hundred and thirty-three. [183—60.]

[Section practically superseded by sec. 120, Act No. 1189, which see. See also Acts Nos. 1652 and 1695.]

Sec. 61. City assessor and collector to collect all taxes, licenses, and so forth.—The city assessor and collector shall collect all taxes and assessments due the city, all licenses authorized by law or ordinance, all rents for lands, markets, and other property owned by the city, and shall receive and receipt for all fines, forfeitures, fees, and costs imposed by the municipal court, from the clerk thereof, and the fees collected by the sheriff of Manila or his deputies, or by the justice of the peace of Manila.

He shall collect all water rents as fixed by law or ordinance, all miscellaneous charges made by the department of engineering and public works, and all charges made by the city engineer for inspection, permits, licenses, and the installation, maintenance, and services rendered in the operation of the so-called "pail system."

¹ **Amendments and repeals.**—Act No. 133 later amended; sec. 34 repealed by sec. 2, Act No. 740.

He shall inspect and seal weights and measures,¹ enforce the keeping and use of proper weights and measures by vendors and vendees, and regulate the inspection, weighing, and measuring of brick, coal, lumber, and other articles of merchandise, and shall collect all charges for such inspection and regulation, in accordance with law and ordinances.

He shall deposit each day in the Treasury of the Philippine Islands all moneys belonging to the city received on the previous business day; shall give bond to the city in such sum and with such surety or sureties as the Municipal Board may prescribe for the faithful performance of the official duties of himself and his deputies or assistants, and the deposit of all sums of money that come into his or their hands officially in the Treasury of the Philippine Islands; shall, on or before the tenth day of each month, submit to the Auditor for the Philippine Islands an account-current with abstracts of collections and abstracts of deposits, covering all transactions of his office during the preceding month; shall, on or before the tenth day of July of each year, prepare in duplicate an itemized statement of the receipts and deposits with the Treasurer of the Philippine Islands for the preceding fiscal year, and shall transmit the same to the Board through the Auditor for the Philippine Islands. He shall perform such other duties as the Board may, by ordinance, prescribe. [183—61; 612—2; 1141—2; 1546—1.]

Sec. 62. City assessor and collector to collect internal-revenue tax.—[*The city assessor and collector shall hereafter collect for the benefit of the city all taxes due under the law or orders imposing internal-revenue taxes collectible within the city of Manila, and shall deposit the same with the Treasurer of the Islands to the credit of the city: Provided, That this shall not include the urbana tax hereinbefore abolished: And provided further, That it shall not include the collections made at the instance of the Director of Forestry, or his subordinates, within the city of Manila, for timber and timber products cut or taken from the public lands in the provinces outside the city of Manila. Until further provided by law, the city assessor and collector shall also act as the collector of internal revenue in those parts of the Islands not within organized provincial governments and not within the city of Manila.*] [183—62.]

[Above section obsolete. See Act No. 1189.]

Sec. 63. Chief deputy assessor and chief deputy collector provided for.—[*There shall be a chief deputy assessor and a chief deputy collector in the office of the department of assessments and collections who shall be appointed by the Governor-General, by and with the consent of the Commission. Their successors shall be*

¹ **Weights and measures.**—See Act No. 1519 and note to sec. 17 (s) hereof.

appointed by the Board under the provisions of the Civil Service Act.] [186—63.]

[Above section obsolete. See sec. 46a hereof.]

Sec. 64. Collection and disposition of taxes now in force.—*[All licenses and taxes, rents and income due and collectible under law, ordinance, general orders, or regulations, by the Provost-Marshal-General or his subordinates, or by any Insular officer, for the benefit of the territory now incorporated as the city of Manila, which shall be delinquent at the time of the passage of this Act, except such as are herein specifically abolished, shall be collected for the benefit of the city by the city assessor and collector in the same method and with the same penalties as would be applicable had this Act not been adopted. A failure to pay delinquent urbana and frontage taxes for the years eighteen hundred and ninety-nine and nineteen hundred within thirty days after the passage of this Act shall impose upon the taxpayer so delinquent a penalty of fifteen per cent and interest at rate of ten per cent from the date of the passage of this Act until payment. In the event such delinquent taxpayer shall neglect to pay the urbana or frontage taxes so due for thirty days after the passage of this Act, it shall be the duty of the assessor and collector to proceed against such delinquent taxpayer and the property upon which such urbana or frontage taxes are due in manner and form and with like effect as provided in this Act for the collection of delinquent taxes upon real estate, the provisions of which are hereby declared applicable to such delinquent urbana and frontage taxes.] [183—64.]*

[Above section obsolete.]

Sec. 65. *[Repealed by sec. 5, Act No. 1869.]*

Sec. 66. Eligibility for appointment under city government.¹—No person shall be eligible for appointment to any official position under the city government who is not either a citizen of the United States, a native of the Philippine Islands, a person who by virtue of the treaty of Paris is entitled to the political rights of a native of the Philippine Islands, or a person who having served in the Army or Navy of the United States has been honorably discharged therefrom and has taken the oath of allegiance to the United States. [183—66.]

Sec. 67. United States money referred to.—*[All sums of money herein mentioned shall be held to refer to money of the United States unless otherwise expressly provided.] [183—67.]*

[Above section obsolete. By Act of Congress of March 2, 1903, Philippine currency made the standard of value. Throughout Charter, reference to United States money has been changed to the equivalent in Philippine currency.]

¹ Civil Service Law as to eligibility.—See note to sec. 27 hereof.

Sec. 68. City not to be liable for damages,¹ and so forth.—The city shall not be liable or held for damages or injuries to persons or property arising from the failure of the Municipal Board, or any city officer, to enforce the provisions of this charter, or any law or ordinance, or from negligence of said Board or other officers while enforcing or attempting to enforce the same. [183—68.]

Sec. 69. Existing city ordinances, and so forth, to continue in force unless repealed or modified.—[*All city ordinances and orders in force at the time of the passage of this Act, and not inconsistent herewith, shall continue in force until they are repealed or modified by ordinances passed in accordance with the provisions of this Act.*] [183—69.]

[Above section obsolete. All ordinances and orders referred to have been repealed by the enactment of The Revised Ordinances. See sec. 932 thereof.]

Sec. 70. Liquor licenses granted by Board.—The powers and duties in reference to the granting of liquor licenses and the forfeiting of the same, in the city of Manila, conferred upon the Provost-Marshal-General at the time of the passage of this Act, shall continue to be exercised by the Municipal Board of Manila, hereinbefore created. If after due investigation the Municipal Board shall decide that any person licensed to sell liquors is abusing his license and privilege to the injury of the public morals or peace or that any place so licensed has been or is conducted in a disorderly or unlawful manner, or is a nuisance, or is permitted to be used as a resort for disorderly characters, criminals, or women of ill repute, the Board may by order summarily revoke such license. Such revocation shall operate to forfeit to the city all sums which may have been paid for said license and to prohibit the issuance to the person whose license is so revoked of any other liquor license for a term which may be fixed in said order. [183—70; 1746—2.]

Sec. 71. Insular Purchasing Agent given control of property purchased out of civil funds.—[*The quartermaster of the provost*

¹ **Injuries in line of duty.**—“Unclassified employees of the municipal government, including laborers, who are injured in clear line of duty, may, in the discretion of the Municipal Board and with the approval of the Governor-General, continue to receive their regular compensation during the period of disability, not exceeding ninety days: *Provided*, That the Governor-General may, in his discretion, authorize payment of medical attendance, necessary transportation, and hospital fees for officers and employees injured in clear line of duty, but such payment shall not be made from the appropriation for ‘general purposes’ when the department or office concerned has an available appropriation for contingent expenses or public works, as the case may be, from which such payment can be made, nor shall the provisions of this section be construed to cover sickness as distinguished from physical wounds.” [1546—1.] For provisions as to injuries to civil service employees of the city in the performance of duty see sec. 25 (d), Act No. 1698.

[“Governor-General” substituted for “Secretary of Finance and Justice” throughout note in accordance with sec. 9, Act No. 1706.]

guard is hereby directed to deliver to the Insular Purchasing Agent all the property held by him, purchased out of civil funds for the use of the departments and bureaus of the city government under the Provost-Marshall-General, taking proper receipts from the Insular Purchasing Agent. It shall also be his duty to transfer to the Insular Purchasing Agent all the property received by him from the Disbursing Quartermaster for Civil Bureaus prior to July first, nineteen hundred and one, and purchased by the Disbursing Quartermaster for Civil Bureaus out of public civil funds for the use of the civil departments of the Civil Government, taking like receipts from the Insular Purchasing Agent for this property.] [183—71.]

[Above section obsolete.]

Sec. 72. Repeal of former Acts, orders, and regulations.—*[All Acts, orders, and regulations, and parts of the same, which are inconsistent with the provisions of this Act are hereby repealed, and this Act shall take effect upon the proclamation of the Governor-General, to be issued within thirty days after the passage of the Act.]* [183—72.]

[Above section obsolete.]

Sec. 73. Persons delinquent, procedure.¹—Fifteen days after the tax shall become delinquent the city assessor and collector shall prepare and sign a certified copy of the records of his office, showing the persons delinquent in payment of their taxes and the amounts of tax and penalty respectively due from them. He shall proceed at once to seize the personal property of each delinquent, and, unless redeemed as hereinafter provided, to sell at public auction, either at the main entrance of the municipal building or at the place where such property is seized, as he shall determine, so much

¹ **Other provisions as to land tax sales, refunds, conveyances, and redemption of land.**—Portions of Act No. 1578, printed as made applicable to the city of Manila by section 6 of said Act, are as follows:

SEC. 1. Refunds; conveyances of land by holders of deeds, etc.—“The city assessor and collector is hereby authorized, under the direction of the Municipal Board, and with the approval of the Governor-General first had, to refund to holders of all deeds or certificates of purchase of real property sold at public auction for delinquent taxes due thereon, the amount paid by such purchaser at the said tax sale and the amount of any taxes, penalties, costs, or interest legally paid by him on said real property subsequent to the sale, together with interest thereon at the rate of fifteen per centum per annum from the date of actual payment of any or either of such sums, to the date of the refund hereby authorized.

“The holder of any such deed or certificate of purchase, before receiving the refund hereby authorized, shall convey by proper conveyance, sufficient under the law, to the city assessor and collector as trustee, all his title and interest in and to the land described in such tax deed or certificate of purchase; and the city assessor and collector shall cause the said deed to be recorded in the office of the register of deeds of Manila. No fees for the registration of such deeds shall be charged or collected by such register of deeds.” [1578—1, 6.]

of the same as shall satisfy the tax, penalty, and costs of seizure and sale, to the highest bidder for cash, after due advertisement by notice posted for ten days at the main entrance of the municipal building and at a public and conspicuous place in the barrio where the property was seized, stating the time, place, and cause of sale. The certified copy of the city assessor and collector's record of delinquents shall be his warrant for his proceedings, and the purchaser at such sale shall acquire an indefeasible title to the property sold. Within two days after the sale the city assessor and collector shall make return of his proceedings and spread it upon his records.

SEC. 2. Notice to former owners; redemption.—"As soon as practicable after the conveyance of any such interest from the holder of any tax deed or certificate of purchase as provided in section one of this Act, the city assessor and collector shall notify the former owner of the real estate so redeemed, or his legal representative, by a notice deposited in the mail and addressed to the district and street, if any, in which the said real property is situated, setting forth the status of said property and that he will be allowed to redeem the same within six months from the date of the mailing of said notice by paying to the said city assessor and collector the amount paid to such purchaser, together with interest thereon at the rate of fifteen per centum per annum from the date of such conveyance from said purchaser to the date of redemption by such former owner or his legal representative: *Provided*, That in the event that any taxes, penalties, costs, or interest have become due since the sale of the said real property and have not been paid by the purchaser and included in the refund made to him by the city assessor and collector, then, the owner in addition to the payment of the amount refunded the purchaser with interest as provided above shall also be required to pay the tax, penalties, costs, and interest which may have become due subsequent to the sale of the said real property.

"Upon the redemption by the former owner or his legal representative of said real estate in the manner above provided the city assessor and collector, as such trustee, shall convey by proper conveyance, sufficient under the law, the said real state to the said former owner or his legal representative." [1578—2, 6.]

SEC. 3. Forfeiture to city.—"All real property conveyed in accordance with the provisions of section one of this Act, which shall not be redeemed by the original owner or his legal representative within six months from the date of the mailing of the notice by the city assessor and collector as prescribed in section two hereof, shall be considered as forfeited to the city of Manila, and the city assessor and collector as such trustee shall forthwith convey by proper conveyance, sufficient under the law, the said real estate to the said city of Manila." [1578—3, 6.]

SEC. 4. Acknowledgments of conveyances.—"All conveyances of real estate as provided in this Act shall be acknowledged by the clerk of the Court of First Instance for the city of Manila free of charge, and it shall not be necessary to affix to such deeds the stamps required by section one hundred and sixteen of the Internal Revenue Law of Nineteen hundred and four." [1578—4.]

SEC. 6. Duty of disbursing officer; indefinite appropriation.—"Refunds shall be made by the disbursing officer of the city of Manila, subject to the approval of the Municipal Board and of the Governor-General. Refunds in the city of Manila shall be made out of any funds in the Insular Treasury to the credit of the city of Manila, and an indefinite appropriation is hereby created for the amount of such refunds which shall be charged wholly to the city of Manila." [1578—6.]

Any surplus resulting from the sale, over and above the tax, penalty, and costs, shall be returned to the taxpayer on account of whose delinquency the sale has been made. [1793—1.]

[Headnotes inserted by compiler in this and succeeding sections of Charter.]

Sec. 74. Redemption by owner.—The owner of the personal property seized may redeem the same from the collecting officer at any time after seizure and before sale by tendering to him the amount of the tax, the penalty, and the costs incurred up to the time of tender. The costs to be charged in making such seizure and sale shall only embrace the actual expense of seizure and preservation of the property pending the sale, and no charge shall be imposed for the services of the collecting officer or his deputy. [1793—1.]

Sec. 75. Taxes and penalties, a lien.—Taxes and penalties assessed against realty shall constitute a lien thereon, which lien shall be superior to all other liens, mortgages, or incumbrances of any kind whatsoever; shall be enforceable against the property whether in the possession of the delinquent or any subsequent owner, and can only be removed by the payment of the tax and penalty, with interest on both at the rate of six per centum per annum from the date of the delinquency. The lien for the taxes shall attach to the real property from the first day of January of the year in which the taxes are due. [1793—1.]

Sec. 76. Advertisement; sale.—In addition to the procedure prescribed in section seventy-five, the city assessor and collector may, upon the warrant of the certified record required in section seventy-three, within twenty days after delinquency, advertise the real estate of the delinquent for sale, or so much thereof as may be necessary to satisfy all public taxes upon said property as above, and costs of sale, for a period of thirty days.

This provision shall be retroactive so far as to apply to all taxes heretofore assessed but not collected.

The advertisement shall be by posting a notice at the main entrance of the municipal building and in a public and conspicuous place in the barrio in which the real estate lies, and by publication once a week for three weeks in a newspaper of general circulation published in said city, if any there be. The advertisement shall contain a statement of the amount of the taxes and penalties so due and the time and place of sale, the name of the taxpayer against whom the taxes are levied, and a short description of the land to be sold. At any time before the day fixed for the sale the taxpayer may discontinue all proceedings by paying the taxes, penalties, and interest to the city assessor and collector. If he does not do so the sale shall proceed and shall be held either at the main entrance of the municipal building or on the premises to be sold, as the city assessor and collector may determine. Within five days after the

sale the city assessor and collector shall make return of the proceedings and spread it on his records. The purchaser at the sale shall receive a certificate from the city assessor and collector from his records, showing the proceedings of the sale, describing the property sold, stating the name of the purchaser, and setting out the exact amount of all public taxes, penalties, and interest. [1793—1.]

Sec. 77. Redemption by delinquent within one year.—Within one year from the date of sale the delinquent taxpayer, or anyone for him, shall have the right of paying to the city assessor and collector the amount of the public taxes, penalties, and interest thereon from the date of delinquency to the date of sale, together with interest on said purchase price at the rate of fifteen per centum per annum from the date of purchase to the date of redemption; and such payment shall entitle the person paying to the delivery of the certificate issued to the purchaser and a certificate from the city assessor and collector that he has thus redeemed the land, and the city assessor and collector shall forthwith pay over to the purchaser the amount by which such land has thus been redeemed, and the land thereafter shall be free from the lien of such taxes and penalties. [1793—1.]

Sec. 78. Deed to purchaser, no redemption.—In case the taxpayer shall not redeem the land sold as above provided within one year from the date of sale, the city assessor and collector shall, as grantor, execute a deed in form and effect sufficient under the laws of the Islands to convey to the purchaser so much of the land against which the taxes have been assessed as has been sold, free from all liens of any kind whatsoever, and the deeds shall succinctly recite all the proceedings upon which the validity of the sale depends. [1793—1.]

Sec. 79. Forfeiture to municipality, when.—In case there is no bidder at the public sale of such land who offers a sum sufficient to pay the taxes, penalties, and costs, the city assessor and collector shall declare the land forfeited to the municipality, and shall make, within two days thereafter, a return of his proceedings and the forfeiture, which shall be spread upon the records of his office. [1793—1.]

Sec. 80. Forfeiture; delinquent's right to redeem; deed to municipality, when.—Within one year from the date of such forfeiture thus declared the taxpayer, or anyone for him, may redeem said land, as above provided in cases where the land is sold. But, if the land is not thus redeemed within the year, the forfeiture shall become absolute and the city assessor and collector shall execute a deed, similar in form and having the same effect as the deed required to be made by him in case of a sale, conveying the land to the municipality. The deed shall be recorded as required by law for other land titles and shall be filed with the municipal secretary, who shall enter it in his record of municipal property. [1793—1.]

Sec. 81. Civil action for taxes.—The assessment of a tax shall constitute a lawful indebtedness from the taxpayer to the municipality which may be enforced by a civil action in any court of competent jurisdiction, and this remedy shall be in addition to all the other remedies provided by law. [1793—1.]

Sec. 82. Jurisdiction of court, conditions.—No court shall entertain any suit assailing the validity of a tax assessed under this Act until the taxpayer shall have paid, under protest, the taxes assessed against him, nor shall any court declare any tax invalid by reason of irregularities or informalities in the proceedings of the officers charged with the assessment or collection of the taxes, or of a failure to perform their duties within the times herein specified for their performance, unless such irregularities, informalities, or failures shall have impaired the substantial rights of the taxpayer; nor shall any court declare any tax assessed under the provisions of this Act invalid except upon condition that the taxpayer shall pay the just amount of his tax as determined by the court in the pending proceeding. [1793—1.]

Sec. 83. Payment of selling price and interest into court by taxpayer.—No court shall entertain any suit assailing the validity of a tax sale of land under this Act until the taxpayer shall have paid into the court the amount for which the land was sold, together with interest at the rate of fifteen per centum per annum upon that sum from the date of sale to the time of instituting suit. The money so paid into court shall belong to the purchaser at the tax sale if the deed is declared invalid, and shall be returned to the depositor should he fail in his action. [1793—1.]

Sec. 84. Irregularities and informalities.—No court shall declare any such sale invalid by reason of any irregularities or informalities in the proceedings of the officer charged with the duty of making the sale or by reason of failure by him to perform his duties within the time herein specified for their performance, unless such irregularities, informalities, or failures shall have impaired the substantial rights of the taxpayer. [1793—1.]

Sec. 85. Omission of real estate from tax lists; penalty.—Any officer charged with the duty of assessing real property who shall willfully omit from the tax lists real property which he knows to be lawfully taxable shall be guilty of a misdemeanor and punishable by a fine not exceeding one thousand pesos, or imprisonment not exceeding two years, or both, in the discretion of the court. [1793—1.]

Sec. 86. Omission, license or privilege taxes; penalty.—Any officer charged with the duty of listing or collecting license or privilege taxes who shall willfully omit to list or collect the same or any part thereof shall be guilty of a misdemeanor and subject to the penalties provided in section eighty-five. [1793—1.]

Sec. 87. Bribe accepted by official; penalty.—Any officer charged with any duty in connection with the assessment or collection of

taxes who shall accept a bribe to influence his official action therein shall be guilty of a misdemeanor and subject to the penalties provided in section eighty-five. [1793—1.]

Sec. 88. Bribe offered official; penalty.—Any person offering a bribe to an officer charged with any duty in connection with assessing or collecting taxes for the purpose of influencing his official action shall be guilty of a misdemeanor and subject to the penalties provided in section eighty-five. [1793—1.]

Sec. 88a. Department of sewer and waterworks construction¹ created; duties and officials.—There is hereby created, under the Municipal Board of the city of Manila, a department of sewer and waterworks construction, which shall be charged with the making of surveys, the preparation and completion of plans, and the construction of the proposed sewer and water-supply systems of the city of Manila.

There shall be in the department of sewer and waterworks construction a chief engineer, who shall receive a salary of fifteen thousand pesos per annum; two principal assistant engineers, at nine thousand pesos per annum each. The chief engineer and the two principal assistant engineers shall be appointed by and be removable by the Municipal Board; the other engineers and employees by the chief engineer. [1323—7, 8; 1707—1.]

[Above section inserted because an implied amendment of Charter. The headnote does not appear in the original text.]

Sec. 88b. Department of sanitation and transportation created.—There shall be, under the Municipal Board, a department of sanitation and transportation, which is authorized to charge, at rates to be fixed by the Municipal Board with the approval of the Governor-General, for services and supplies furnished by it. [1421—1.]

[Above section inserted because an implied amendment of Charter. It appears as "revised and practically rewritten" for sec. 478, Compilation of the Acts of the Philippine Commission. Despite the uncertainty as to what authority this one brief section confers upon the department of sanitation and transportation, the department has, as a matter of fact, many of the most important functions of the city government under its control, viz: public pound, parks, cemeteries, sanitation, etc. Authority for such readjustment of the duties of the several city departments is seemingly given by that portion of sec. 6, p. 93, after last semicolon. See note to sec. 16 hereof.]

Enacted, July 31, 1901.

¹ Sewer and water-supply systems.—See chapter 9, p. 96.

TITLE 2.

FURTHER LAWS WHICH CONCERN THE GOVERNMENT OF THE CITY OF MANILA.¹

Chap.

1. The register of deeds.
2. Delegates to the Philippine Assembly.
3. The city board of health, its powers and duties.
4. The sale of intoxicating liquors; licenses.
5. Continuing appropriations.

Chap.

6. Property, services, and supplies.
7. The Consulting Architect; the Burnham plan.
8. The Luneta Extension.
9. Sewer and water-supply systems.
10. Franchises.

CHAPTER 1.

THE REGISTER OF DEEDS.

Sec.

10. Appointment and removal; salary; duties.

Sec.

11. Vacancy; assistants.
13. Salaries and expenses, how paid.

Sec. 10. Appointment and removal; salary; duties.²—There shall be a register of deeds in the city of Manila and one in each province. The register of deeds for the city of Manila shall be appointed at a salary of four thousand pesos per annum and removed in the manner provided for the appointment and removal of judges by section three (Act No. 496). * * * The registers of deeds, after any land within their respective districts has been registered under this Act (No. 496), shall have the same authority as the

¹ **Note.**—Laws appearing in this title are printed as originally enacted. Only formal changes such as “Bureau of Health” substituted for “Board of Health” and “Governor-General” for “Civil Governor” have been made. Headnotes have been inserted for purposes of uniformity and easier reference.

² **Further duties:** Sec. 121, Act No. 496 reads: “Sec. 121. Whenever in this Act the phrase ‘the register of deeds in the province where the land lies,’ or an equivalent phrase, occurs, it shall be construed to include and be applicable to the register of deeds in the city of Manila.” [496—121.]

Chattel mortgages.—For duties as to, see Act No. 1508.

clerk of the Court of Land Registration to make all memoranda affecting the title of such land, and to enter and issue new certificates of title as provided herein, and each shall affix his seal to such certificates and duplicate certificates of title; but in executing the provisions of this Act (No. 496) the registers of deeds shall be subject to the general direction of the Court of Land Registration, in order to secure uniformity throughout the Islands, and their official designation shall be register of deeds for the province or for the city of Manila, in which their duties are to be performed, as the case may be. [496—10; 1699—4.]

Sec. 11. Vacancy; assistants.— * * * In case of a vacancy in the office of the register of deeds for the city of Manila, or his absence or disability, the clerk of the Court of Land Registration shall perform the duties of the register. * * * The register of deeds for the city of Manila may appoint such deputies, assistants, clerks, stenographers, and translators as may be authorized by law. [496—11; 1699—5.]

Sec. 13. Salaries and expenses, how paid.— * * * The salary of the register of deeds for the city of Manila and of all of his deputies, assistants or clerks duly authorized and appointed, and all the expenses of every kind incident to the office of register of deeds, including necessary books and stationery, shall be paid out of the * * * funds belonging to the city of Manila * * *. [496—13; 1699—6.]

CHAPTER 2.

DELEGATES TO THE PHILIPPINE ASSEMBLY.¹

Sec.

3. Elections.

5. The Philippine Assembly.

Sec.

7. Division into districts, and representation.

Sec. 3. Elections.— * * * The city of Manila * * * is deemed and hereby declared to be a province within the meaning

¹ **Election Law.**—Although practically all of the provisions of the Election Law (Act No. 1582, as amended) apply to the city of Manila, for obvious reasons it is impossible to reprint here. A portion of sec. 2 of said Act reads: "Whenever in this Act a provincial board, or a municipal council, is charged with the doing of an act, the same shall be deemed to include the Municipal Board of the city of Manila so as to charge it with doing the corresponding act with respect to elections required to be held in said city.

"Whenever a municipal secretary or provincial treasurer is charged herein with the doing of an act, the same shall be deemed to include the secretary of the Municipal Board of the city of Manila so as to charge him with doing the corresponding act with respect to elections required to be held in said city."

of section seven of the Act of Congress of July first, nineteen hundred and two * * * [1582—3.]

Sec. 5. The Philippine Assembly.—The Philippine Assembly shall consist of eighty members, apportioned among the provinces as follows:

*	*	*	*	*	*	*
Manila			two			
*	*	*	*	*	*	*

[1582—5; 1669—1.]

Sec. 7. Division into districts, and representation.—Each district for which provision is hereinafter made shall be entitled to elect one Delegate to the Assembly: *Provided, however,* That the whole number elected from any province shall not exceed the number prescribed for that province in section five of this Act (last preceding section).

The provinces hereinbefore mentioned as being entitled to elect more than one Delegate are hereby divided into Assembly districts, as follows:

*	*	*	*	*	*	*
Manila: First District—Composed of the districts of Binondo, Intramuros, San Nicolas, and Tondo. Second District—Composed of the districts of Ermita, Malate, Paco, Pandacan, Quiapo, Sampaloc, San Miguel, Santa Ana, and Santa Cruz.						
*	*	*	*	*	*	*

[1582—7.]

CHAPTER 3.

THE CITY BOARD OF HEALTH, ITS POWERS
AND DUTIES.

Sec.

1. Drafting of health ordinances; procedure for enactment.
2. Disposition of ordinances.
3. Provisions of ordinances.
4. Publication of ordinances in three languages; free distribution.
5. Complaints by health officers.
6. Sanitary inspections.

Sec.

7. Accumulation of unhealthful substances.
8. Threatened epidemics; executive order by Governor-General; emergency powers, Director of Health.
9. Epidemic passed, executive order declaring.
12. Inspections by Director of Health.

Section 1. Drafting of health ordinances; procedure for enactment.—Subject to the approval of the Secretary of the Interior, the Bureau of Health for the Philippine Islands, acting in its

capacity as a local board of health¹ for the city of Manila, shall draft and forward, through the Secretary of the Interior, to the Municipal Board for enactment, health ordinances for that city. The Municipal Board shall enact the ordinances so forwarded to it by the Bureau of Health: *Provided*, That if the Municipal Board shall consider any health ordinance as drafted by the Bureau of Health and approved by the Secretary of the Interior, to be unduly prejudicial to private interests or objectionable for other reasons, it shall promptly return such ordinance through the Secretary of the Interior to the Bureau of Health, together with such amendments as it deems advisable. The Bureau of Health shall consider the amendments suggested, and shall make such changes in the ordinance, if any, as it may deem advisable, and shall return the same to the Municipal Board. In the event that the amendments, if any, adopted by the Bureau of Health and approved by the Secretary of the Interior are not satisfactory to the Municipal Board, the Municipal Board may appeal to the Governor-General, who shall decide the point or points at issue and prescribe the form which the ordinance shall take. His decision shall be final. If the Bureau of Health shall consider that the Municipal Board is unduly delaying action relative to any health ordinance duly transmitted to it for enactment, it may appeal, through the Secretary of the Interior, to the Governor-General, who may direct the Municipal Board to act on such ordinance or may himself approve it with such modifications as he may deem advisable, and every ordinance so approved by the Governor-General shall have the force and effect of law. [1150—1.]

Sec. 2. Disposition of ordinances.—The ordinances drafted by the Bureau of Health shall be forwarded to the Municipal Board in triplicate. [1150—2.]

[Latter part of section omitted because Advisory Board to which it relates abolished by sec. 5, Act No. 1869.]

Sec. 3. Provisions of ordinances.—The ordinances drafted by the Bureau of Health may provide for—

(a) Entry and inspection² at reasonable hours and in a proper manner of all buildings and premises by officers or employees of the Bureau of Health in the discharge of their duties, and by sanitary police when acting as sanitary inspectors.

(b) Cleansing, whitewashing, ventilation,³ and proper sanitary maintenance of all buildings and premises; the nature and thickness of materials to be used in covering the ground surfaces⁴ of all buildings or in covering open surfaces connected with cook houses.

¹ **Similar provision.**—"It (The Bureau of Health) shall serve as the local board of health for the city of Manila." [157—4 (1).]

² **Entry and inspection.**—See chapter 68 of Revised Ordinances.

³ **Ventilation.**—See chapter 13 of Revised Ordinances.

⁴ **Ground surfaces.**—See chapter 69 of Revised Ordinances.

latrines, or other places where slops or foul liquids may be thrown or deposited; the conditions under which it shall be lawful to live in, occupy or use, let, sublet, or suffer or permit to be used for habitation or occupation any building or part thereof which is in an insanitary condition,¹ and the cleansing of buildings and forbidding their occupancy until such time as they have been placed in satisfactory sanitary condition; prohibition of erection of insanitary buildings and of the erection of buildings on unhealthful sites.

(c) Fixing the maximum number² of persons who may be permitted to occupy a dwelling or other building or any part thereof, and the number of lower animals that may be permitted to occupy any stable, corral, pen, pound, or other place or premises.

(d) Installation and maintenance of adequate and proper drainage of buildings and premises, including the materials to be used in and the construction of plumbing systems,³ drains, trappings, water-closets, vaults, latrines, urinals, cesspools, and sanitary fixtures and appliances.

(e) Proper sanitary maintenance, scavenging, collection and disposal of refuse, garbage,⁴ and manure, the removal and disposal of night soil, and the proper construction of receptacles for such substances, subject to the provisions of section thirty-three⁵ of Act Numbered One hundred and eighty-three, as amended by this Act.

(f) Maintaining in a proper sanitary condition hotels,⁶ restaurants, saloons, tenements, lodging houses, emigration or immigration houses, factories, workshops, jails, prisons, theaters, convents, schools, or other places of public assembly or resort; markets, bakeries,⁷ confectioneries, dairies,⁸ manufactories of aerated waters⁹ or of bottled or other drinks or of ice; food-preserving establishments and other places where foods or drinks are prepared or offered for sale; securing the healthfulness and purity of foods⁹ or drinks sold or offered for sale in any such building, establishment, or place, and the sanitary conveyance of the same thereto and therefrom; and for such other purposes relative to their sanitary condition as the Bureau of Health may deem advisable.

(g) Sanitary regulation of the business and fixing the location of tanneries, renderies, tallow chandleries, bone factories, soap fac-

¹ **Insanitary conditions.**—See sec. 669 of Revised Ordinances.

² **Apportionment of air space.**—See sec. 239 of Revised Ordinances.

³ **Plumbing and house drainage.**—See chapter 12 of Revised Ordinances.

⁴ **Garbage and rubbish.**—See chapter 71 of Revised Ordinances.

⁵ See p. 41 hereof.

⁶ **Hotels, lodging and tenement houses.**—See chapter 73 of Revised Ordinances.

⁷ **Bakeries.**—See secs. 710–721 of Revised Ordinances.

⁸ **Dairies.**—See secs. 710–717, 721–724 of Revised Ordinances.

⁹ **Food and drink.**—See chapter 76 of Revised Ordinances.

tories, and other offensive¹ or unwholesome establishments, businesses, or occupations which are dangerous to the public health, or the removal of the same when already established, if necessary to secure proper sanitation; sanitary maintenance of butcher shops and slaughterhouses;² sanitary regulation of the killing of animals thereat and of removal or conveyance of carcasses therefrom or thereto; and such other matters and things as may be deemed desirable for the purpose of securing the proper sanitary conduct of such trades, businesses, manufactories, and occupations.

(h) Sanitary control and maintenance of public stables, baths, and laundries.³

(i) Protection from infection of all public and private water⁴ supplies and sources, and prohibition of the use of water of dangerous character for domestic purposes. Ordinances enacted for the purpose of protecting the purity of the water supply of Manila shall apply to and be enforced over all territory within the drainage area of such water supply or within one hundred meters of any reservoir, conduit, canal, aqueduct, or pumping station used in connection with the city water service.

(j) Prevention and suppression of contagious, infectious, or communicable⁵ disease; compulsory reporting of a case or cases of any such disease; compulsory inoculation of persons in order to prevent the occurrence or spread of any such disease; cleansing and disinfection of buildings or premises where any such disease has occurred, and disinfection or destruction of bedding, clothing, or other articles contained therein; compulsory vacation, repair, removal, or destruction of any such building; quarantining of any building, premises, or place declared by the Bureau of Health to be infected with contagious, infectious, or communicable disease; regulation of the movements of persons or animals into or from any such infected building, premises, or place, and the removal of the dead or of carcasses, fodder, litter, dung, clothing, utensils, or any other thing into, within, or from any such quarantined buildings, premises, or place; establishment of detention camps and contagious-disease hospitals; isolation or removal to hospitals or places of detention of persons affected by or who have been exposed to any infectious, contagious, or communicable disease, and their detention in their homes, in hospitals, or elsewhere until danger of their developing or communicating such diseases has passed; maintenance in a sanitary condition of all live-stock pens, stables, corrals, and other

¹ **Offensive and unwholesome businesses, etc.**—See chapter 83 of Revised Ordinances.

² **Veterinary regulations—slaughterhouses, etc.**—See title 14 of Revised Ordinances.

³ **Laundries.**—See secs. 710–717, 725, 726 of Revised Ordinances.

⁴ **Water.**—See chapter 77 of Revised Ordinances.

⁵ **Dangerous communicable diseases.**—See chapter 78 of Revised Ordinances.

places of detention or maintenance of animals; condemning, killing, and disposal of animals¹ sick of any dangerous communicable diseases; and disposal of the bodies of animals dying from any such disease.

[Subsection printed to conform to Act No. 1760, relating to the prevention of dangerous communicable animal diseases.]

(*k*) Cleansing and preservation in a sanitary condition of vessels² and boats in the harbor of Manila or within the city limits not within or subject to the jurisdiction of the Quarantine Service.

(*l*) Cleansing and preservation in a sanitary condition of the harbor of Manila, and of rivers, esteros, canals, or other waterways³ and their shores included within the city limits.

(*m*) Destruction of rats,⁴ mice, insects, or vermin capable of carrying or communicating any contagious, infectious, or communicable disease, and prescribing the means and precautions to be employed on land or in vessels in port at Manila, to minimize their number and prevent their spreading infection.

(*n*) Humane care⁵ of all persons confined or placed in public or private institutions or places of detention within the city because of sickness, deformity, imbecility, poverty, insanity, or other affliction, and provision of sanitary accommodations for persons so confined or placed.

(*o*) Reporting and registration of marriages,⁶ births, deaths, and other matters deemed by the Bureau of Health to be of sanitary or statistical importance.

(*p*) Registration and maintenance in a sanitary condition of morgues, undertaking establishments,⁷ receiving vaults, and places for embalming or burial of the dead.

(*q*) Shipment, exhuming, burial,⁸ or disposal of the dead.

(*r*) Definition, declaration, and prohibition of nuisances⁹ dangerous to the public health: location and use of public drains, sewers, latrines, and cesspools, and construction and use of private drains, sewers, latrines, and cesspools.

(*s*) Cleansing, drainage, or filling in¹⁰ of low lands where such lands are in an insanitary condition and in the opinion of the

¹ **Animals with dangerous communicable diseases.**—See chapter 96 of Revised Ordinances.

² **Vessels in harbor.**—See secs. 785, 786, 787 of Revised Ordinances.

³ **Waterways, etc.**—See secs. 784, 788, 789 of Revised Ordinances.

⁴ **Destruction of rats, etc.**—See sec. 769 of Revised Ordinances.

⁵ **Humane care of unfortunates.**—See chapter 81 of Revised Ordinances.

⁶ **Marriages and births.**—See chapter 82 of Revised Ordinances.

⁷ **Undertaking establishments, etc.**—See secs. 273, 274 of Revised Ordinances.

⁸ **Burial, etc., of dead.**—See chapter 17 of Revised Ordinances.

⁹ **Nuisances.**—See chapter 85 of Revised Ordinances.

¹⁰ **Filling in of low lands.**—See chapter 80 of Revised Ordinances.

Bureau of Health constitute a serious menace to the public health: *Provided*, That no order for the cleansing, drainage, or filling in of such lands involving a cost of more than three hundred pesos, Philippine currency, shall be effective without the approval of the Secretary of the Interior, who may request from the Director of Health a report as to the cost of cleansing, drainage, or filling in any such piece of low land, and the Director of Health shall make such report when so requested. [1150—3; 1407—5.]

Sec. 4. Publication of ordinances in three languages; free distribution.—All health ordinances shall be published by the Municipal Board in English, Spanish, and Tagalog. When ordinances relative to the several subjects hereinbefore enumerated have become effective, they shall be published in convenient form for the general information of the public by the Municipal Board in English, Spanish, and Tagalog, as the Sanitary Code¹ of Manila. A copy of any health ordinance or of said code, in such one of these languages as he may elect, shall be furnished on application free of charge to any adult resident of Manila. [1150—4.]

Sec. 5. Complaints by health officers.—The Director of Health or any health officer duly appointed by him, is empowered, and it shall be his duty, to make complaint under oath in writing against any person violating any health ordinance before the municipal court of Manila, and it shall be the duty of that court to issue a warrant for the arrest of such person so complained of, and when arrested to try him as in other cases of violations of city ordinances: *Provided*, That nothing herein contained shall be construed as preventing any municipal officer or any person from also making such complaint. [1150—5.]

[“The Director of Health” substituted for “any member of the Board of Health” in line 1; “him” substituted for “it” in line 2.]

Sec. 6. Sanitary inspections.—Sanitary inspections shall be made under the general supervision and control of the Director of Health by district medical inspectors of the Bureau of Health, by such members of the police force of the city of Manila as shall be designated as sanitary police by the chief of police, and by such sanitary inspectors as may be authorized by law. Sanitary police and sanitary inspectors shall make sanitary inspections under the immediate direction of district medical inspectors, to whom they shall report the results of such inspections: *Provided*, That the city engineer of Manila or his duly authorized agent shall inspect and supervise the construction, repair, removal, and safety of build-

¹ **Sanitary Code.**—See especially of The Revised Ordinances, title 11, “Public health;” title 14, “Veterinary regulations;” chapter 12, “Plumbing and house drainage;” chapter 17, “Burial, transfer, and exhumation,” etc., which were originally Ordinance No. 86, “The Sanitary Code.”

ings, and the ventilation, drainage, and plumbing of buildings and premises, and shall report to the Director of Health any violations of ordinances relative to ventilation, drainage, and plumbing: *And provided further*, That the Bureau of Health shall have power to make inspections through its duly authorized agents in order to ascertain whether such ordinances are being enforced, and to initiate complaints against violators of such ordinances after consultation with the city engineer. [1150—6.]

Sec. 7. Accumulation of unhealthful substances.—Should the Bureau of Health find that excreta, garbage, refuse, the contents of closets, vaults, cesspools, or any other unhealthful or dangerous substance is being collected, disposed of, or allowed to accumulate by the city authorities in such a manner as to endanger the public health, it shall make complaint through the Secretary of the Interior to the Municipal Board, and should the Municipal Board fail to take seasonable and suitable measures to remedy the evil, the Bureau of Health shall make complaint through the Secretary of the Interior to the Governor-General, who shall issue to the Municipal Board such instructions as he may deem necessary in the interest of the public health. [1150—7.]

Sec. 8. Threatened epidemics; executive order by Governor-General; emergency powers, Director of Health.—When, in the opinion of the Director of Health, the city of Manila is threatened with an epidemic of infectious, contagious, or communicable disease, he shall so inform the Governor-General, through the Secretary of the Interior, and may request the Governor-General to issue an executive order declaring that the city is threatened with an epidemic and vesting the Bureau of Health with emergency powers. The Governor-General may, in his discretion, issue such order, and in the event of his doing so, the Bureau of Health shall have the following emergency powers:

(a) Power to enact, subject to the approval of the Secretary of the Interior, such emergency health ordinances as it may deem necessary to prevent the occurrence or spread of infectious, contagious, or communicable diseases. Such ordinances shall have the same force and effect and be enforced in the same manner as if enacted by the Municipal Board.

(b) Power to appoint such temporary emergency employees as may be authorized by law. The provisions of the Civil Service Act and its amendments shall not necessarily apply to the appointment of such temporary emergency employees. [1150—8.]

Sec. 9. Epidemic passed, executive order declaring.—When, in the opinion of the Governor-General, the danger of an epidemic has passed, he shall so declare by executive order. Upon the publication of such order, all emergency health ordinances shall become of no effect, unless the Governor-General shall in such executive order specifically declare that one or more emergency

health ordinances shall remain in effect for a further period to be by him prescribed. [1150—9.]

Sec. 12. [7a] Inspections by Director of Health.—The Director of Health shall inspect or cause to be inspected buildings, plumbing, waterworks, drainage and sewer systems, streams, and esteros within the limits of the city of Manila, and shall cause to be prepared plans for and estimates of the cost of remedying insanitary conditions discovered by him. He shall further cause to be prepared plans and estimates of the cost of improving the general sanitary condition of unhealthful districts in Manila. [157—7 (a); 1150—12.]

[Above section rewritten to conform to provisions of Act No. 1407.]

CHAPTER 4.

THE SALE OF INTOXICATING LIQUORS; LICENSES.¹

- | | |
|---|---|
| Sec. | Sec. |
| 2. "First-class bar license;" fee. | 12. "Native wine license;" fee. |
| 3. "Second-class bar license;" fee. | 13. "Druggists' liquor license;" fee. |
| 4. "Theater liquor license;" fee. | 14. "Grocery liquor license;" fee. |
| 5. Applications for licenses; public notice, filing. | 15. "Brewer's license;" fee. |
| 6. Closing hours; "give away" construed. | 16. "Distiller's license;" fee. |
| 7. (a) "First-class restaurant liquor license;" fee. (b) "Second-class restaurant liquor license;" fee. | 17. "First-class wholesale liquor license;" fee. |
| 8. (a) "First-class hotel liquor license;" fee. (b) "Second-class hotel liquor license;" fee. | 18. "Second-class wholesale liquor license;" fee. |
| 9. Disposal, etc., of certain native wines unlawful. | 19. "Third-class wholesale liquor license;" fee. |
| 10. Unspecified liquors, license required; sale by agent. | 20. Transfers; fee. |
| 11. Music and gambling devices; other restrictions. | 21. Posting of license. |
| | 23. Prohibited licenses; certain streets and plazas. |
| | 24. Sale of "native wines" to soldiers. |
| | 25. Violations; penalty; revocation or nullification. |

Sec. 2. "First-class bar license;" fee.—A license for a period of six months may be issued to a person or persons of good character, authorizing him or them to keep and maintain, at a place to be specified in the license, a saloon, bar, or drinking place for the sale of intoxicating liquors, including thereunder fermented vinous, fermented malt, and spirituous beverages, in quantities less than one gallon (three and seventy-eight one-hundredths liters), upon

¹ **Licenses.**—As alphabetically arranged see Appendix A.

payment in advance of the sum of six hundred pesos. A license of this class shall be known as a "first-class bar license." [59—2.]

Sec. 3. "Second-class bar license;" fee.—A license for a period of six months may be issued to a person or persons of good character, authorizing him or them to keep and maintain, at a place to be specified in the license, a saloon, bar, or drinking place for the sale of fermented malt or fermented vinous liquors only, in quantities less than one gallon (three and seventy-eight one-hundredths liters), upon payment in advance of the sum of three hundred and fifty pesos. A license of this class shall be known as a "second-class bar license." [59—3.]

Sec. 4. "Theater liquor license;" fee.—A license for a period of six months may be issued to a person or persons of good character owning or managing a bona fide theater or race track authorizing him or them to keep and maintain a bar on the premises of the theater or race track for the sale of distilled spirits, wine, and fermented liquors, in quantities of two dekaliters or less, which liquors may be sold or served to bona fide patrons of the theater or race track, under such restrictions as may be prescribed by the Municipal Board, upon payment in advance of the sum of eight hundred pesos. A license of this class shall be known as a "theater liquor license." A "theater liquor license" may also be issued to holders of first or second class bar licenses for a period of one or more weeks, upon payment in advance of the sum of fifty pesos per week for the time covered by each license: *Provided*, That no license shall be issued for less than one week. [59—4; 1734—1.]

Sec. 5. Applications for licenses; public notice, filing.—No application for a license, or for a renewal thereof, to conduct a first or a second class bar, shall be received until the applicant or applicants shall have, at his or their own expense, published a notice in six consecutive editions of one Spanish and one English newspaper, to be designated by the Municipal Board, which notice shall be in such form as the Municipal Board may determine, and shall set forth the fact that, on a certain date, it is proposed by such applicant or applicants to make application for a license to conduct a bar in the building situated on a specified street and at a specified number. Such notice shall be signed by the applicant or applicants, and copies of the newspapers containing the notice shall be filed with the application. [59—5; 183—70.]

[“At the department of licenses and municipal revenue” omitted after “application” in line 9.]

Sec. 6. Closing hours; “give away” construed.—All saloons, bars, and other drinking places shall be closed from twelve o’clock midnight until five o’clock antemeridian the following day, except that when the following day shall be Sunday they shall remain closed until five o’clock antemeridian the following Monday; and it shall be unlawful for any person to sell, give away, or otherwise dispose

of any fermented, malt, vinous, or spirituous, or other intoxicating liquors between the above-mentioned hours except as herein provided; but the words "give away" where they occur in this Act shall not apply to the giving away of intoxicating liquors by a person in his private dwelling, unless such private dwelling shall become a place of public resort. [59—6; 1177—1.]

Sec. 7. (a) "First-class restaurant liquor license;" fee: A license for a period of six months may be issued to a person or persons of good character, owning or managing bona fide hotels, restaurants, or cafés, authorizing him or them to sell, serve, give away, or otherwise dispose of fermented vinous, fermented malt, and spirituous beverages or liquors, in quantities less than one gallon (three and seventy-eight one-hundredths liters), to bona fide guests of such hotels, restaurants, or cafés with bona fide meals at any and all hours, upon the payment in advance of the sum of two hundred and fifty pesos. A license of this class shall be known as a "first-class restaurant liquor license."

(b) "Second-class restaurant liquor license;" fee: A license for a period of six months may be issued to a person or persons of good character, owning or managing bona fide hotels, restaurants, or cafés, authorizing him or them to sell, serve, give away, or otherwise dispose of fermented malt or fermented vinous beverages or liquors in quantities less than one gallon (three and seventy-eight one-hundredths liters), to bona fide guests of such hotels, restaurants, or cafés with bona fide meals at any and all hours, upon the payment in advance of the sum of one hundred and fifty pesos. A license of this class shall be known as a "second-class restaurant liquor license." [59—7.]

Sec. 8. (a) "First-class hotel liquor license;" fee: A license for a period of six months may be issued to a person or persons of good character, owning or managing bona fide hotels and holding for such hotel a "first-class restaurant liquor license," authorizing him or them to sell, serve, give away, or otherwise dispose of fermented vinous, fermented malt, and spirituous beverages or liquors, in quantities less than one gallon (three and seventy-eight one-hundredths liters), to bona fide guests of such hotels in their rooms at any and all hours upon payment in advance of the sum of two hundred and fifty pesos. A license of this class shall be known as a "first-class hotel liquor license."

(b) "Second-class hotel liquor license;" fee: A license for a period of six months may be issued to a person or persons of good character, owning or managing bona fide hotels, and holding for such hotel a "second-class restaurant liquor license," authorizing him or them to sell, serve, give away, or otherwise dispose of fermented malt and fermented vinous beverages or liquors, in quantities less than one gallon (three and seventy-eight one-hundredths liters), upon payment in advance of the sum of one

hundred and fifty pesos. A license of this class shall be known as a "second-class hotel liquor license." [59—8.]

Sec. 9. Disposal, etc. of certain native wines unlawful.—None of the above-mentioned licenses shall be construed to permit the keeping in stock, selling, giving away, or otherwise disposing of any of the so-called native wines, such as "vino," "anisado," "tuba," and so forth, and it shall be unlawful to keep in stock, sell, give away, or otherwise dispose of any such so-called native wines at any place for the keeping or maintaining of which any of the above-mentioned licenses shall have issued. [59—9.]

Sec. 10. Nonspecified liquors, license required; sale by agent.—It shall be unlawful for any person or persons to conduct or maintain any saloon, bar, or drinking place without first having obtained a license therefor, or to keep in stock, sell, give away, or otherwise dispose of any intoxicating liquors that are not included within the license so obtained; and it shall likewise be unlawful for the proprietor or manager of any hotel, restaurant, or café to keep in stock, sell, serve, give away, or otherwise dispose of any intoxicating liquor without having obtained a license therefor as prescribed in this Act. It shall be unlawful for any employee or agent of the proprietor of a saloon, bar, drinking place, hotel, restaurant, or café to sell or give away liquor when no license has been issued to his principal authorizing the same. [59—10.]

Sec. 11. Music and gambling devices; other restrictions.—It shall be unlawful to play or permit to be played any musical instrument or conduct or operate or permit to be conducted or operated any gambling device, slot machine, phonograph, billiard or pool table, or other form of amusement in saloons, bars, or drinking places, but this shall not be construed as prohibiting music in the dining or other rooms than the barrooms of bona fide hotels holding liquor licenses, or in theaters holding "theater liquor licenses."

It shall be unlawful for the holder of licenses herein provided for to maintain any but a clean, quiet, and orderly place, or to sell or serve or permit to be sold or served any intoxicating liquors to any intoxicated person, or to permit such persons to be or remain in or about the premises where such liquors are kept for sale or to sell or keep therein any wine, beer, or liquor, except such as is of good standard quality and free from adulteration. [59—11.]

Sec. 12. "Native wine license;" fee.—A license for a period of six months may be issued to a person or persons of good character, authorizing him or them to maintain a shop for the keeping in stock, selling, giving away, or otherwise disposing of such native wines (so called) and liquors only as are not now, or shall not hereafter be, prohibited to be manufactured and sold, in quantities less than one gallon (three and seventy-eight one-hundredths liters), upon payment in advance of the sum of five pesos, but no such license shall be construed to include or authorize the keeping in stock, selling, giving away, or otherwise disposing of any of the

liquors or beverages included within the licenses provided for in sections two and three of this Act, and it shall be unlawful to keep in stock, sell, give away, or otherwise dispose of any such liquors or beverages at any place licensed for the sale of native wines and liquors. A license of this class shall be known as a "native wine license," and it shall be unlawful for any person or persons to sell such native wines or liquors or to maintain a shop for keeping in stock, selling, serving, giving away, or otherwise disposing of any such native wines or liquors without such license, or, having obtained such license, to sell, serve, give away, or otherwise dispose of such wines and liquors except as herein prescribed. [59—12; 524—1.]

Sec. 13. "Druggists' liquor license;" fee.—Licenses for periods of one year may be issued to any person or persons of good character, operating a regularly licensed bona fide apothecary shop or drug store, authorizing him or them to sell, give away, or otherwise dispose of fermented malt, fermented vinous, and spirituous liquors, in quantities not less than one bottle nor more than one case or one barrel of bottles, and of such intoxicating liquors as may be kept in bulk, to sell, give away, or otherwise dispose of not less than two liters nor more than fifty liters at any one time or to any one person, upon payment in advance of the sum of one hundred pesos. Such license shall be known as a "druggists' liquor license," and it shall be unlawful for the proprietor of any drug store or apothecary shop or for his employees or agents to sell, serve, give away, or otherwise dispose of any intoxicating liquors without such license, or, having obtained such license, to sell, serve, give away, or otherwise dispose of such intoxicating liquors except as herein provided, or to allow any such liquors to be drunk upon the premises. [59—13.]

Sec. 14. "Grocery liquor license;" fee.—Licenses for periods of one year may be issued to any person or persons of good character, operating a regularly licensed, bona fide grocery store, authorizing him or them to sell, give away, or otherwise dispose of malt, fermented, vinous, and spirituous liquors, in quantities not less than one bottle, nor more than one case or one barrel of such bottles, and of such intoxicating liquors as may be kept in bulk, to sell, give away, or otherwise dispose of not less than two liters nor more than fifty liters at any one time or to any one person, upon payment in advance of the sum of one hundred pesos. Such license shall be known as a "grocery liquor license" and it shall be unlawful for the proprietor of any grocery or any of his employees or servants to sell, serve, give away, or otherwise dispose of any intoxicating liquors without such license, or, having obtained such license, to sell, serve, give away, or otherwise dispose of such intoxicating liquors except as herein provided, or to allow any such liquors to be drunk upon the premises. [59—14.]

Sec. 15. "Brewer's license;" fee.—Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to conduct the business of a brewer, and to sell, give away, or otherwise dispose of the products of his or their brewery in quantities of one gallon (three and seventy-eight one-hundredths liters) or more upon payment in advance of the sum of one thousand two hundred pesos. A license of this class shall be known as a "brewer's license," and it shall be unlawful for any person or persons to conduct any brewery without such license, or having secured such license, to sell, give away, or otherwise dispose of the products of such brewery except as herein prescribed. [59—15.]

Sec. 16. "Distiller's license;" fee.—Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to conduct the business of a distiller of alcoholic liquors and to sell, give away, or otherwise dispose of the products of such distillery, in quantities of one gallon (three and seventy-eight one-hundredths liters) or more, upon payment in advance of the sum of six hundred pesos. A license of this class shall be known as a "distiller's license," and it shall be unlawful for any person or persons to conduct any distillery for the manufacture of alcoholic liquors without such license, or, having secured such license, to sell, give away, or otherwise dispose of the products of such distillery except as herein prescribed. [59—16.]

Sec. 17. "First-class wholesale liquor license;" fee.—Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to keep in stock and sell or give away fermented malt, vinous, and spirituous liquors in quantities of one gallon (three and seventy-eight one-hundredths liters) or more, upon payment in advance of the sum of twelve hundred pesos; but such licenses may be paid in advance in four quarterly installments of three hundred pesos each, at the election of the licensee. A license of this class shall be known as a "first-class wholesale liquor license," and it shall be unlawful for any person or persons to sell or otherwise dispose of fermented malt, vinous, and spirituous liquors at wholesale without such license, or, having obtained such license, to sell or otherwise dispose of such liquors except as herein prescribed, but nothing herein shall be construed as prohibiting any person or persons holding a "brewer's license" or "distiller's license" from disposing of the products of such brewery or distillery. [59—17; 95—1.]

Sec. 18. "Second-class wholesale liquor license;" fee.—Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to keep in stock and sell or give away fermented malt and fermented vinous liquors in quantities of one gallon (three and seventy-eight one-hundredths liters) or more, upon payment in advance of the sum of six hundred pesos;

but such licenses may be paid in advance in four quarterly installments of one hundred and fifty pesos each, at the election of the licensee. A license of this class shall be known as a "second-class wholesale liquor license," and it shall be unlawful for any person or persons to sell or otherwise dispose of fermented malt or fermented vinous liquors at wholesale without such license, or, having obtained such license, to sell or otherwise dispose of any liquor but fermented malt or fermented vinous liquors, or to sell or otherwise dispose of such liquors except as herein prescribed. [58—18; 95—1.]

Sec. 19. "Third-class wholesale liquor license;" fee.—Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to keep in stock fermented vinous liquors, except champagne and other sparkling wines, and to sell such fermented vinous liquors in quantities of not less than one bottle, and of such liquors as are kept in bulk, to sell not less than two liters, not to be drunk upon the premises, upon payment in advance of the sum of fifty-two pesos. Such license shall be known as a "third-class wholesale liquor license," and it shall be unlawful for any person or persons to sell, give away, or otherwise dispose of fermented vinous liquors at wholesale without such license, or, having obtained such license, to sell, give away, or otherwise dispose of any liquor but fermented vinous liquor, not including champagne or other sparkling wines, or to sell, give away, or otherwise dispose of such liquor except as herein prescribed. [59—19.]

Sec. 20. Transfers; fee.—No license shall be transferred from one person to another or from one place to another except by the written authority of the Municipal Board, and no transfer shall be made which involves the addition of privileges.

For all authorized transfers ten per cent of the original fee shall be collected. [59—20; 183—70.]

Sec. 21. Posting of license.—It shall be the duty of the holder of every license for the sale of intoxicating liquors to keep it posted in a conspicuous place in the room where the liquors are sold and the failure to do so is hereby declared unlawful. [59—21.]

Sec. 23. Prohibited licenses; certain streets and plazas.—No license shall be granted for the sale of any intoxicating liquor in the public markets, kiosks, booths, or stands situated in the public streets or plazas, or to street vendors or peddlers, and no "first-class bar license," "second-class bar license," or "theater liquor license" shall be issued for any barroom being or having an entrance on any of the following-named streets and plazas: The Escolta, Calle Rosario, Plaza Moraga, Plaza Cervantes, and that portion of Calle Nueva between Calle San Vicente and the Bridge of Spain, and any of the streets, alleys, or passageways lying between Calle San Vicente and the line of that street extended to the Estero de San

Jacinto, on the north, the Pasig River on the south, Calle Nueva on the west, and the Estero de San Jacinto on the east, all in the district of Binondo. [59—23.]

Sec. 24. Sale of "native wines" to soldiers.—Nothing in this Act shall be construed as authorizing the sale, gift, or other disposal to soldiers of the United States Army of any of the so-called "native wines," such as "vino," "anisado," "tuba," and so forth, which is declared to be unlawful. [59—24.]

Sec. 25. Violations; penalty; revocation or nullification.—Criminal prosecutions hereunder shall be instituted against the person or persons violating any of the provisions of this Act, and upon conviction thereof offenders shall be punishable for each offense by fine not to exceed two hundred pesos, or imprisonment for a term not exceeding six months, or both, at the discretion of the trial court.

In addition to the above penalty, any holder of a license herein provided for, upon being convicted of a violation of any of the provisions of this Act, or of any police regulation or law governing the manufacture or sale of liquor, now, or which shall hereafter be, in force in Manila, shall become liable to have his, her, or their license revoked and canceled by the Municipal Board in its discretion; but in case any holder of a license herein provided for shall be convicted of selling, giving away, or otherwise disposing of any intoxicating liquor during the hours wherein the sales of such liquors are prohibited, or shall be convicted of selling, giving away, or otherwise disposing of liquors not included in his, her, or their license, or shall be convicted of selling, giving away, or otherwise disposing of any intoxicating liquor to any intoxicated person, or shall be convicted of violating section twenty-four, in addition to the above penalty, his, her, or their license shall at once become null and void as a consequence of any such conviction. [59—25; 183—70.]

CHAPTER 5.

CONTINUING APPROPRIATIONS.¹

Sec.

1. Repayment of Insular loan.
2. Bridges, esteros, parks, and streets.

Sec.

3. Insurance fund.
4. Department of sanitation and transportation.

Section 1. Repayment of Insular loan.—A continuing annual appropriation of fifty thousand pesos is hereby made for the purpose of repaying to the Insular Government the loan granted in accord-

¹ **Note.**—Sections have been arbitrarily renumbered for convenience.

ance with the provisions of Act Numbered Thirteen hundred and sixty.¹ [1727—1.]

Sec. 2. Bridges, esteros, parks, and streets.—A continuing appropriation is hereby created under this head of all moneys received from leases and rentals of land and sales of real estate, belonging to the government of the city of Manila, and from receipts accruing to said government from the use of public thoroughfares by private persons, including franchise taxes payable to the city of Manila by corporations whose franchises include the privilege or right of locating in the public thoroughfares of the city electric light, power, or telephone conduits or poles, street railway tracks, or other analogous privileges; and the funds accruing to this appropriation may be expended only for the curbing, extension, grading, paving, straightening, and widening of alleys, roads, and streets; for the creation and improvement of public parks and plazas; for the construction of bridges; for dredging and improvement of esteros; for the acquisition of land, and for other purposes necessarily incident to the accomplishment of the objects of this appropriation as hereinbefore stated. [1727—1.]

Sec. 3. Insurance fund.—There is hereby created under the foregoing designation a continuing annual appropriation of ten thousand pesos, or so much as may be necessary, to constitute, not later than July first, nineteen hundred and seventeen, an insurance fund of one hundred thousand pesos which shall be available as may be required to repair, reconstruct, or replace buildings and other property of the government of the city of Manila which shall be damaged or destroyed by earthquake, fire, lightning, water, or wind. Payments from this appropriation shall be made upon the order of the Municipal Board in such sums as shall be determined by the Board with the concurrence of the Insular Auditor to be required to carry out the purposes of this Act (No. 1706), wholly or in part, as hereinbefore set forth, and expenses necessarily incident thereto: *Provided*, That no payment shall be made from these funds as additional compensation to any official or employee of the government: *And provided further*, That in the event that arrangement is entered into between the Insular Government and the government of the city of Manila by which the former undertakes to insure the property of the latter, this fund may be discontinued during the life of such arrangement, and payments be made from the moneys pertaining hereto as may be necessary to carry out the terms of said arrangement by the governments mentioned.

The moneys pertaining to the insurance fund shall be available for investment by the Insular Treasurer subject to approval by the Municipal Board and Governor-General, and the earnings which shall accrue from such investments shall be deposited to the credit

¹ See p. 95 hereof.

of the fund and be considered a part of the annual appropriation of ten thousand pesos hereinbefore made until the fund shall reach its maximum of one hundred thousand pesos, and thereafter shall be deposited to the credit of the permanent appropriation for street improvement if such there be, otherwise to the credit of "Miscellaneous revenues" of the government of the city of Manila. [1706—1.]

Sec. 4. Department of sanitation and transportation.—There is hereby created as of date July first, nineteen hundred and seven, under the above designation, a permanent reimbursable appropriation to the credit of which shall be deposited all receipts of the government of the city of Manila from and after the above date on account of services rendered or supplies furnished by the department of sanitation and transportation to other branches of the Government, or to other persons, under the provisions of existing law: *Provided*, That receipts on account of markets, mataderos, pail system, vault cleaning, sale of niches and other cemetery charges, pound receipts, transportation of meat, and other sources of revenue within the jurisdiction of the department, together with any others which may be assigned thereto by the Municipal Board, shall be construed as pertaining to this appropriation: *And provided further*, That as frequently as the Municipal Board shall direct, and at least once annually, there shall be transferred to the credit of "Miscellaneous receipts" of the government of the city of Manila the net earnings of the department which shall have accrued prior to the date as of which transfer shall be made. [1706—1.]

CHAPTER 6.

PROPERTY, SERVICES, AND SUPPLIES.

Sec.

5. Transfers of property.

6. Charges for supplies and property; fees, fines, etc.; readjustment of receipts and duties of departments by Municipal Board.

Sec.

7. Refunds.

Sec. 5. Transfers of property.—Interdepartmental transfers of property not otherwise provided for may be made by purchase or otherwise with the approval of the Municipal Board. [1706—5.]

Sec. 6. Charges for supplies and property; fees, fines, etc.; readjustment¹ of receipts and duties of departments by Municipal

¹ **Readjustment of duties of departments.**—See notes to secs. 16 and 88b of Manila Charter, pp. 30 and 73.

Board.—For services and supplies furnished to other branches of the government, or other persons, a chief of department or office may charge the cost or such other rate or rates as shall have been prescribed by law or approved by the Municipal Board: *Provided*, That in case of question arising between the Municipal Board and any Insular Bureau or Office, provincial or municipal government, as to the reasonableness of charges approved by the former, appeal may be had to the Governor-General whose decision in the matter shall be final; and may spend the proceeds of such charges for duly authorized purposes in the discretion of the Municipal Board: *Provided*, That the sums collected under this section shall be deposited in the Insular Treasury to the credit of the current account of the department or office concerned: *And provided further*, That municipal court fees and fines, justice of the peace fees, fees pertaining to the offices of city attorney, register of deeds, and sheriff, shall be considered receipts of the law department; electrician fees, of the fire department; boiler inspector and building permit fees, and water rents, of the department of engineering and public works; live stock registration fees, transfer fees, and weights and measures fees, of the department of assessments and collections; cemetery, market, pail system, public pound, slaughterhouse, transportation, and vault cleaning receipts, of the department of sanitation and transportation; municipal license fees, of the police department; and the Municipal Board is hereby authorized to make such assignments of other receipts of the government of the city of Manila as may be necessary to carry out the purposes of this section which is to require the separation of revenue receipts which may properly be termed proceeds of taxation from those funds which accrue from inter-Bureau and departmental transactions and specific services to private persons; and to make from time to time such readjustment¹ of the duties and receipts of the several departments as the public interest may demand, the provisions of existing law to the contrary notwithstanding. [1706—6.]

Sec. 7. Refunds.—Subject to approval by the Municipal Board, upon recommendation of the Insular Auditor, refunds may be made by chiefs of departments on account of receipts from sale of fabricated articles or supplies, or services rendered to other branches of the Government or private parties when such action shall be consistent with good business practice and equity; and also on account of taxes and licenses, or parts thereof, erroneously collected, the refunds of which have been or shall be duly authorized in accordance with law: *Provided*, That refunds made in pursuance of this appropriation shall be charged in whole to the government of the city of Manila. [1706—7.]

¹ **Readjustment of duties of departments.**—See notes to secs. 16 and 88b of Manila Charter, pp. 30 and 73.

CHAPTER 7.

THE CONSULTING ARCHITECT; THE BURNHAM PLAN.

Sec.

2. Duties of Consulting Architect.
4. Burnham plan adopted.

Sec.

6. Written opinions to Municipal Board.

Sec. 2. Duties of Consulting Architect.—It shall be the duty of the Consulting Architect to advise * * * the Municipal Board of the city of Manila on all matters pertaining to the architectural features of construction, repair, or alteration of a material nature of public buildings and monuments of a permanent character, including the treatment of the city walls, approaches thereto, the moats and the area between said moats and the boundary streets of Intramuros, and to perform such other work as may be directed by the Secretary of Commerce and Police. In case the Consulting Architect and the Municipal Board shall fail to agree on the treatment of the walls and moats and surrounding parks the questions at issue shall be referred to the Governor-General for final decision. He shall prepare plans, specifications, estimates, and other information for public buildings or works of a permanent character for * * * the city of Manila, upon request: *Provided*, That when public competition for building plans shall be held he shall make such restrictions, subject to the approval of the Governor-General, as he may deem advisable concerning the general type and style of building to conform to the development of the group of public buildings in the particular locality in question, which restrictions shall be duly set forth in the advertisement. He shall exercise general supervision over the architectural features of government constructions and of the landscape gardening of public places of recognized prominence. For the purpose of this Act the word “government” shall be construed to mean Insular, provincial, and municipal governments of the Philippine Islands. He shall be charged with the interpretation of the Burnham plans and the preparation of details where architectural effect or monumental features are involved. [1495—2.]

Sec. 4. Burnham plan adopted.—The general plan prepared by D. H. Burnham, commonly known as the Burnham plan for the improvement of the city of Manila, and the Burnham plan for the improvement of Baguio, are hereby adopted as bases for the future development of the said places. [1495—4.]

Sec. 6. Written opinions to Municipal Board.—It shall be the duty of the Municipal Board of the city of Manila, before expending any appropriation for the construction of buildings or architectural

works of a permanent character or for repairs or alterations which materially affect the architectural appearance of buildings of a permanent character or of any construction involving a modification of the Burnham plans, including the laying out or alteration of public streets and parks, to request the written opinion and recommendation of the Consulting Architect. [1495—6.]

CHAPTER 8.

THE LUNETA EXTENSION.¹

Sec.

3. Burnham plan to be followed;
reclamation of land.

Sec.

4. Construction of sea wall.

Sec. 3. Burnham plan to be followed; reclamation of land.—The plan to be followed in the making of the Luneta extension referred to in section one (this Act) shall be that prepared by Architect D. H. Burnham, dated January fourteenth, nineteen hundred and five, which is now on file in the office of the Philippine Commission, which plan is hereby adopted as a general outline for the extension and improvement of the Luneta in the city of Manila, with the addition of a boulevard eighty meters in width to extend along the bay shore from the south wall of said projected Luneta extension to the mouth of the Estero de San Antonio Abad. The reclamation from the Bay of Manila of the land included in said projected Luneta extension and said boulevard is hereby authorized and the land thereby reclaimed shall be the property of the city of Manila. [1360—3.]

Sec. 4. Construction of sea wall.—The city of Manila is hereby authorized to provide for the construction, as in the case of other municipal public works, of a sea wall to inclose and protect the boulevard referred to and to provide for the filling, grading, and other improvement of the same, the plans and specifications for the construction of said work, however, to be prepared by the chief of the Division of Port Works and to be approved by the Governor-General and the Municipal Board of Manila before work is commenced thereon. Appropriations for the construction of said boulevard shall be made when the Municipal Board of Manila shall certify to the Commission that the plans and specifications therefor are prepared and that municipal funds are available for such work. [1360—4.]

¹ **Hotel site.**—For conditions of lease or sale of land on Luneta Extension for hotel site see Act No. 1657.

CHAPTER 9.

SEWER AND WATER-SUPPLY¹ SYSTEMS.

Sec.	Sec.
70. Bonds for sewers and water supply.	4. Report by Secretary of War to Auditor, and so forth.
71. Denomination, etc., of bonds; tax exemption.	5. Permanent appropriation for payment of interest.
72. Application of money.	6. Permanent appropriation for payment of bonds; sinking fund.
73. Sinking fund.	10. Construction, and purchase of materials; bids, rejection; purchase in open market.
1. Manila sewer and water bonds, provisions as to amount, interest, and so forth.	11. Rules and regulations applicable.
2. Sale by Secretary of War.	12. Reports by chief engineer.
3. Proceeds, how credited; withdrawals.	

Sec. 70. Bonds for sewers and water supply.—That for the purpose of providing funds to construct sewers in the city of Manila and to furnish it with an adequate sewer and drainage system and supply of water the Government of the Philippine Islands, with the approval of the President of the United States first had, is hereby authorized to permit the city of Manila to incur indebtedness, to borrow money, and to issue and sell (at not less than par value in gold coin of the United States), upon such terms and conditions as it may deem best, registered or coupon bonds of the city of Manila to an amount not exceeding four million dollars, lawful money of the United States, payable at such time or times as may be determined by said Government, with interest thereon not to exceed five per centum per annum. [Act of Congress of July 1, 1902, sec. 70.]

Sec. 71. Denomination, etc. of bonds; tax exemption.—That said coupon or registered bonds shall be in denominations of fifty dollars or any multiple thereof, bearing interest at a rate not exceeding five per centum per annum, payable quarterly, such bonds to be payable at the pleasure of the Government of the Philippine Islands, after dates named in said bonds not less than five nor more than thirty years from the date of their issue, together with the interest thereon in gold coin of the United States of the present standard value, or the equivalent in value in money of the said Islands; and said bonds shall be exempt from the payment of all taxes or duties of the Government of the said Islands, or of any local authority therein, or of the Government of the United States. [Act of Congress of July 1, 1902, sec. 71.]

Sec. 72. Application of money.—That all moneys which may be realized or received from the issue and sale of said bonds shall be

¹ **Expropriation of land for city water system.**—City given the right to institute condemnation proceedings for the main for, by Act No. 1641.

utilized under authorization of said Government of the Philippine Islands in providing a suitable sewer and drainage system and adequate supply of water for the city of Manila and for no other purpose. [Act of Congress of July 1, 1902, sec. 72.]

Sec. 73. Sinking fund.—That the Government of the Philippine Islands shall, by the levy and collection of taxes on the city of Manila, its inhabitants and their property, or by other means, make adequate provision to meet the obligation of said bonds and shall create a sinking fund sufficient to retire them and pay the interest thereon in accordance with the terms of issue: *Provided*, That if said bonds or any portion thereof shall be paid out of the funds of the Government of said Islands, said city shall reimburse said Government for the sum thus paid, and said Government is hereby empowered to collect said sum by the levy and collection of taxes on said city. [Act of Congress of July 1, 1902, sec. 73.]

Section 1. Manila sewer and water bonds, provisions as to amount, interest, and so forth.—In pursuance of the provisions of sections seventy, seventy-one, seventy-two, and seventy-three (last four preceding sections) of the Act of Congress approved July first, nineteen hundred and two, entitled “An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,” the city of Manila is hereby authorized to incur an indebtedness of four million dollars, money of the United States, and the Secretary of War is hereby authorized to issue, in the name and on behalf of the city of Manila, its bonds covering the amount of said indebtedness, for the purpose of providing funds to construct sewers in the city of Manila and of providing said city with an adequate sewer and drainage system and supply of water. The bonds thus authorized shall be issued and dated as follows: One million dollars, June first, nineteen hundred and five; two million dollars, January second, nineteen hundred and seven; one million dollars, January second, nineteen hundred and eight; shall bear interest at the rate of four per centum per annum, payable quarterly; shall be redeemable at the pleasure of the city of Manila after ten years from date of issue, and payable thirty years after date of issue in gold coin of the United States of the present standard value. Both principal and interest shall be payable at the Treasury of the United States. The said bonds shall be in registered form in denominations of one thousand and ten thousand dollars, in proportions to suit the purchasers thereof, and shall be registered and transferable at the office of the Treasury Department of the United States at Washington, District of Columbia. The said bonds are declared, by section one of the Act of Congress approved February sixth, nineteen hundred and five, entitled “An Act to amend an Act approved July first, nineteen hundred and two, entitled ‘An Act temporarily to provide for the administration of the affairs of civil government

in the Philippine Islands, and for other purposes,' and to amend an Act approved March eighth, nineteen hundred and two, entitled 'An Act temporarily to provide revenue for the Philippine Islands, and for other purposes,' and to amend an Act approved March second, nineteen hundred and three, entitled 'An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes," to be exempt from the payment of all taxation by the Government of the United States, or by the Government of the Philippine Islands or of any political or municipal subdivision thereof, or by any State, or by any county, municipality, or other municipal subdivision of any State or Territory of the United States, or by the District of Columbia, pursuant to which Act, as well as to said Act of Congress approved July first, nineteen hundred and two, and to this Act these bonds are issued; which facts shall be stated upon their face. [1323—1.]

Sec. 2. Sale by Secretary of War.—The Secretary of War is further authorized to sell said bonds on such terms as are most favorable to the city of Manila: *Provided*, That no bond or bonds shall be sold at less than par or face value, and he shall deposit the proceeds of such sale or sales with the Guaranty Trust Company of New York, an authorized depository of the Government of the Philippine Islands, to the credit of the Treasurer of the Philippine Islands. [1323—2.]

Sec. 3. Proceeds, how credited; withdrawals.—The proceeds of the sale of said bonds shall be by the Treasurer of the Philippine Islands placed to the credit of the "sewer and waterworks construction bond issue of the city of Manila," and shall only be withdrawn therefrom by appropriation¹ by the Philippine Commission for the purposes mentioned in this Act. [1323—3.]

Sec. 4. Report by Secretary of War to Auditor, and so forth.—The Secretary of War shall report to the Auditor and to the Treasurer of the Philippine Islands and to the Municipal Board of the city of Manila the amount of said bonds so issued and sold by him, together with the numbers and denominations, and the amount realized from such sale or sales thereof, and the same shall be made a matter of record in the offices of the Auditor and of the Treasurer of the Philippine Islands. [1323—4.]

Sec. 5. Permanent appropriation for payment of interest.—There are hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, for public works and permanent improvements of the city of Manila, such sums as may be necessary to meet the interest payments upon the bonds issued in accordance with this Act, such appropriations to be deemed per-

¹ Appropriation, sewer and water bonds.—See Acts Nos. 1422, 1486, 1547, 1656, 1707.

manent annual appropriations and to continue until said bonds are paid. [1323—5.]

Sec. 6. Permanent appropriation for payment of bonds; sinking fund.—There is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, for public works and permanent improvements of the city of Manila, nineteen thousand three hundred and seventy dollars, money of the United States, each year until said bonds are paid for each one million dollars of bonds issued in accordance with this Act, such appropriations to be deemed permanent annual appropriations and to continue until said bonds are paid. Said sums so appropriated and the interest thereon shall be invested by the Insular Treasurer in such manner as the Municipal Board, with the consent of the Governor-General shall direct, and shall constitute a sinking fund for the payment of said bonds. [1323—6.]

[“Governor-General” substituted for “Secretary of Finance and Justice” in line 11 in accordance with sec. 9, Act No. 1706.]

Sec. 10. Construction, and purchase of materials; bids, rejection; purchase in open market.—The construction of said sewer and water supply systems shall, as far as practicable, be done and the necessary materials purchased by contract or contracts of the city of Manila with private individuals or corporations. Bids for the same shall be advertised for and the contract shall be awarded to the bidder or bidders whose bid or bids shall be deemed most favorable to the city of Manila by the Municipal Board, except as hereinafter stated: *Provided*, That the Municipal Board shall have the power to reject any and all bids, and it is hereby authorized to reject the same and proceed as directed in subdivision (c), section five, of Act Numbered Twenty-two, entitled “An Act appropriating one million dollars, in money of the United States, for improving the Port of Manila.”

When the Municipal Board shall decide that public exigency requires the immediate delivery of any article or performance of any service, the article or service required may, with the approval of the Governor-General, be procured by open purchase or hire at the places and in the manner in which articles are usually bought and sold or such services engaged between individuals, provided the price of such article or service does not in any single instance exceed five thousand pesos. The Municipal Board may advertise and contract for the doing of the work required either as a whole or in part as it may deem most advantageous to the public interests. [1323—10.]

Sec. 11. Rules and regulations applicable.—Except where this Act specifically provides otherwise, or is inconsistent with the general rules and regulations contained in section five of said Act Numbered Twenty-two, such rules and regulations shall control in the letting of contracts and the conduct of the works herein provided to be done, so far as the same are practicable. [1323—11.]

Sec. 12. Reports by chief engineer.—The chief engineer shall make to the Municipal Board detailed monthly reports of the progress of the work directed hereunder, containing a statement of the expenditures made during the month, and the Municipal Board shall transmit said report to the Governor-General. [1323—12.]

CHAPTER 10.

FRANCHISES.¹

Sec.

1. Duty of Municipal Board.
2. Form of franchise.
- 2a. Amendments of original franchise.
3. Special concessions as to single tracks; removal.
4. Freight and express transportation; percentage of gross receipts to Manila, etc.; withdrawal.

Sec.

10. Mortgages upon electric street railway, telephone, light and power plants.
13. Condemnation of private property.
14. Application to Manila lines.

Section 1. Duty of Municipal Board.—There shall be granted by the Municipal Board to the person or persons making the most favorable bid, as hereinafter provided, a franchise to construct and maintain in the streets of Manila and its suburbs an electric street railway and a franchise to construct, maintain, and operate an electric light, heat, and power system in the city of Manila and its suburbs. [484—1.]

Sec. 2. Form of franchise.—Subject to the necessary amendments to be fixed by the terms of the successful bid, the form of the franchise to be granted hereunder shall be in the words and figures following: [*See Ordinance No. 44, as amended, The franchises of the Manila Electric Railroad and Light Company, p. 303, Part III.*] [484—2.]

Sec. 2a. Amendments of original franchise.—The Municipal Board of the city of Manila shall amend Ordinance Numbered Forty-four, enacted in pursuance of Act Numbered Four hundred and eighty-four of the Philippine Commission, as follows: [*See Ordinance No. 70, amendments of the franchises of the Manila Electric Railroad and Light Company, p. 317, Part III.*] [1112—2.]

Sec. 3. Special concessions as to single tracks; removal.—Permission is hereby granted the Manila Electric Railroad and Light

¹ **Telephone and telegraph franchise.**—As this franchise was granted for the Island of Luzon as well as for the city of Manila, it is not here reprinted. See Act No. 1368.

Sections have been arbitrarily renumbered for convenience.

Company to construct tracks and overhead work and use the same, subject to all the terms and conditions of Ordinance Numbered Forty-four of the city of Manila, as amended by Ordinance Numbered Seventy, as follows:

A single track beginning at the corner of Calle Cabildo and the southwest corner of the Ayuntamiento, passing in front of the Cathedral to Calle Palacio, and northward on Calle Palacio to Calle Claveria, and thence westward a double track along Calle Claveria to a point east of what is known as "The Malecon," thence north along the glacis parallel to the Malecon to the Pasig River at the Anda Monument, thence west along the Pasig River to the eastern end of the present Quartermaster's storehouses, and thence around the storehouses with a single-track loop, with the necessary sidings and turn-outs.

The grantor may require the grantee to remove the said tracks and all other construction upon one year's notice, and if the grantee fails or refuses to remove the same within the time specified it may be done by the grantor at the expense of the grantee. [1447—1.]

Sec. 4. Freight and express transportation; percentage of gross receipts to Manila, etc; withdrawal.—The Manila Electric Railroad and Light Company is hereby granted permission to carry and transport for hire freight and express parcels and baggage over its lines, and to make a reasonable charge therefor.

The grantee shall pay to the Treasurer of the Philippine Islands, for the benefit of the city of Manila and the Province of Rizal, two and one-half per centum of the gross earnings from its business received under the permission and license by this Act granted: *Provided*, That the Auditor for the Philippine Islands shall apportion such per centum between the city of Manila and the Province of Rizal according to the earnings accruing within the city of Manila and the Province of Rizal, in such manner as he shall determine to be just and equitable.

The permission herein granted may be withdrawn by the Municipal Board of the city of Manila, with the consent of the Philippine Commission, at any time upon giving one year's notice to the grantee. [1447—2.]

Sec. 10. Mortgages upon electric street railway, telephone, light and power plants.—The owner of an electric street railway, electric telephone line, or an electric light or power line constructed under this law, or by authority of a special Act of the Commission, shall have the power to issue a mortgage upon the franchise, plant, equipment, and property owned and operated in connection with the franchise which shall constitute a first lien on the entire property, movable and immovable, then in possession of or subsequently acquired by the owner of the franchise and used by him in operation under the franchise. Such mortgage shall not prevent the sale of movables or personal property of the owner when the same shall

have ceased to be useful for the maintenance and operation of the line free from the lien, but the lien shall attach to all property purchased and substituted in the proper equipment of the line. In order that the mortgage shall constitute a prior lien as against purchases of immovables, the mortgage having been duly executed in accordance with law shall be filed with the registrar or registrars of land in the province or provinces in which the line is: *Provided*, That the mortgage may be duly filed as herein directed in the Spanish or English language as it may have been executed in either language, but unless the original is accompanied by a reasonably correct translation, it shall be the duty of the registrar to procure the making of such a translation and to charge and collect a reasonable amount from the person filing the mortgage to pay for such a translation at the time of filing the original instrument, and to file the translation with the original, the language of the latter in case of doubt to control. When the mortgage is foreclosed and the property sold thereunder in accordance with its terms, as a whole, the sale shall include the franchise, which may pass by assignment to the assignee and be enjoyed by him, if he is otherwise competent to do such business in the Philippine Islands, in accordance with its terms. The mortgage may be issued to secure one loan or to secure a number of negotiable bonds, the owners of which shall be represented by one or more trustees, who shall be the grantee or grantees of the mortgage. [667—10; 1022—1.]

Sec. 13. Condemnation of private property.—The grantee of a franchise for an electric street railway, electric light or power or telephone line, granted hereunder, or under any special Act of the Commission, shall have the power of condemning private property reasonably needed for the construction of its line, to be exercised by a special proceeding begun in the proper Court of First Instance, with such auxiliary proceedings as may be necessary in the Court of Land Registration according to law; but such power of eminent domain shall only be exercised after approval by the Governor-General, to be given before the judicial proceedings are begun. [667—13.]

Sec. 14. Application to Manila lines.—Nothing herein contained (Act Numbered Six hundred and sixty-seven as amended), except the language of sections ten and thirteen (last two preceding sections), shall have application to electric street railways, electric light or power or telephone lines, or to the grantees of franchises for the same, in the city of Manila. [667—14.]

PART II.

THE REVISED ORDINANCES OF THE
CITY OF MANILA.

PART II.

THE REVISED ORDINANCES OF THE
CITY OF MANILA.

[Ordinance No. 104.]

An ordinance to revise and consolidate the ordinances of the city of Manila, in force on the thirtieth day of June, nineteen hundred and eight, and for other purposes.

Be it ordained by the Municipal Board of the city of Manila, that:

TITLE 1.

ORDINANCES.

Chap.
1. Enactment.

Chap.
2. Construction.

CHAPTER 1.

ENACTMENT.

Sec.
1. Title.
2. Enacting clause.
3. Enactment.
4. Amending, procedure for.

Sec.
5. Sealing, signing, and recording.
6. Publication.
7. Time of taking effect.

Section 1. Title.—All ordinances shall, before the enacting clause, be prefaced by a title stating the purpose and scope of the ordinance.

Sec. 2. Enacting clause.—The enacting clause of ordinances shall be in the following form, namely: “Be it ordained by the Municipal Board of the city of Manila, that:”

Sec. 3. Enactment.—All ordinances shall be enacted in English and translated into Spanish for publication. [1—1.]

Sec. 4. Amending, procedure for.—No ordinance shall be amended by providing that designated words thereof be stricken out and others inserted in lieu thereof; but the ordinance or section amended shall be set forth in full as amended.

Sec. 5. Sealing, signing, and recording.—All ordinances passed by the Municipal Board shall be sealed with the city seal, signed by the president of the Board and the secretary, and recorded in a book kept for that purpose. The secretary shall also make an index of the subject of each ordinance, its number and date of becoming a law, together with the record and page where found, and shall preserve the file and records in his office.

Sec. 6. Publication.—Ordinances shall be published in two daily newspapers of Manila, one printed in English and the other in Spanish, within three days after passage.

Sec. 7. Time of taking effect.—In accordance with section ten of Act Numbered One hundred and eighty-three of the Philippine Commission,¹ as amended by section three of Act Numbered Eighteen hundred and sixty-nine, ordinances so published shall take effect and be in force on and after the tenth day following passage, if no date is fixed in the ordinance.

CHAPTER 2.

CONSTRUCTION.

Sec.

8. English text governing.

9. Rules of construction.

Sec.

10. Repeal of repealing ordinance.

11. Regulations.

Sec. 8. English text governing.—In the construction of ordinances the English text shall govern, except that in obvious cases of ambiguity, omission, or mistake, the Spanish text may be consulted to explain the English text. [1—1.]

Sec. 9. Rules of construction.—Whenever, in an ordinance or regulation, words are used importing the singular or plural number, they may be so construed that one number shall include both; and words importing the masculine gender may be construed to apply to females; and the word “person” shall include companies and corporations; and the term “pesos” shall mean Philippine currency: *Provided*, That these rules of construction shall not be applied to any ordinance or regulation the subject matter or context of which is repugnant to or excludes such construction. [14—1.]

Sec. 10. Repeal of repealing ordinance.—Whenever an ordinance repealing a former ordinance, section, or clause shall itself be repealed such repeal shall not be construed to revive such former ordinance, section, or clause, unless it shall be expressly so provided.

Sec. 11. Regulations.—Heads of the several city departments are authorized to make and publish such regulations, approved by the Municipal Board, as may be necessary to carry ordinances into effect. [1—5.]

¹ See p. 28.

TITLE 2.

ANIMALS RUNNING AT LARGE.

Chap.

3. The public pound.

Chap.

4. Dogs and other animals.

CHAPTER 3.

THE PUBLIC POUND.

Sec.

12. Establishment and maintenance.

13. Poundkeeper and assistants.

14. Duty of poundkeeper.

15. Impounding fee and fee for sustenance.

16. Record of animals.

17. Pound notice.

Sec.

18. Sale, application of amount received.

19. Redemption.

20. Monthly statements.

21. Purchase of impounded animals by employees prohibited.

22. Obstruction of poundkeeper and assistants.

Sec. 12. Establishment and maintenance.—A public pound shall be established and maintained under the supervision of the chief of the department of sanitation and transportation, in such locality as may be designated by the Municipal Board. [90—1.]

Sec. 13. Poundkeeper and assistants.—The chief of the department of sanitation and transportation shall appoint a poundkeeper and may employ, in addition, as many assistants and laborers as may be necessary to conduct said pound. [90—1.]

Sec. 14. Duty of poundkeeper.—It shall be the duty of the poundkeeper to take up and impound all animals found at large in the city of Manila, except dogs with the proper license tags attached to their collars. [90—1.]

Sec. 15. Impounding fee and fee for sustenance.—There shall be charged for each animal impounded, except dogs, an impounding fee of four pesos and an additional fee of one peso per day or part of a day for sustenance and care while such animal remains in the pound. [90—1.]

Sec. 16. Record of animals.—The poundkeeper shall keep a complete record of each animal impounded, showing date of receipt, kind of animal, description, owner's name (if known), method and date of disposal, and the amount collected for each animal in case of redemption or sale as provided for in this chapter. [90—1.]

Sec. 17. Pound notice.—Upon receipt of any animal, except a dog, into the pound, the poundkeeper shall advertise for three days in two daily papers in Manila, one printed in English and the other in Spanish, notice in the following form:

POUND NOTICE.

Impounded in the public pound the following described animals
 which, unless redeemed, will be sold at public auction for cash
 to the highest bidder, at said pound, at the hour of o'clock
 on the day of

.....
 (Signature of poundkeeper.)

The date mentioned in said notice shall be six days after the first publication thereof, exclusive of legal holidays and Sundays, and if said animals are not redeemed before said date a deputy of the city assessor and collector shall proceed to sell same in accordance with said notice. [90—1.]

Sec. 18. Sale, application of amount received.—Whenever a deputy of the city assessor and collector has sold any animal under the provisions of this chapter, the poundkeeper shall render him a bill of the actual expenses and authorized fees thereof, to be credited to the proper account. The balance remaining of the amount received for an animal, after deducting the amount of the bill rendered, if any, shall be refunded to the owner of such animal, provided said amount is claimed within six months after date of sale, and if not claimed said amount shall thereafter be applied for the use of the city. [90—1.]

Sec. 19. Redemption.—At any time before the sale of any animal impounded, except a dog, the owner thereof may redeem the same by paying to the city assessor and collector the authorized fees for impounding, sustenance, and care prescribed by this chapter, together with the cost of advertising as provided for in this chapter. [90—1.]

Sec. 20. Monthly statements.—The poundkeeper shall, on the last day of each month, furnish the city assessor and collector with a statement showing all animals impounded during the month, class of animals and disposition of same, a duplicate of which will be furnished the Insular Auditor. [90—1.]

Sec. 21. Purchase of impounded animals by employees prohibited.—No poundkeeper or other person in charge of the city pound, or employed in or about the care of, or sale of, animals impounded therein, shall purchase or be interested directly or indirectly in the purchase of any animal taken up, impounded, or sold under the provisions of this title. [90—1.]

Sec. 22. Obstruction of poundkeeper and assistants.—No person shall resist, obstruct, or prevent the poundkeeper or any of his assistants in the exercise of his duties as such. [90—1.]

CHAPTER 4.

DOGS AND OTHER ANIMALS.

Sec.	Sec.
23. Unlicensed dogs impounded, result.	27. Killing of dogs by police; proviso.
24. Redemption of unlicensed dogs.	28. Dogs which are nuisances.
25. Sale, procedure for; redemption by owner.	29. Draft animals running at large.
26. Muzzling of vicious dogs; penalty.	30. Police powers of officers of department of sanitation and transportation.

Sec. 23. Unlicensed dogs impounded,¹ result.—The department of sanitation and transportation and the department of police shall cause to be taken up and impounded all dogs which have not the proper license tags attached to their collars found at large in the streets, highways, public grounds, parks, and plazas. Every dog so impounded shall be held for a period of three days from the date of its impounding, at the expiration of which time it shall be sold or killed under the direction of the chief of the department of sanitation and transportation if not redeemed as hereinafter in this chapter provided. [93—66.]

Sec. 24. Redemption of unlicensed dogs.—Any unlicensed dog so impounded may be redeemed by the owner or keeper thereof, within the said three days on payment of the license fee and an impounding fee of three pesos. [93—67.]

Sec. 25. Sale, procedure for; redemption by owner.—In case of sale, the dog shall become the property of the highest bidder (unless redeemed as in this chapter provided). All such bids shall be submitted to the poundkeeper in writing on regular forms which can be obtained from the office of the city pound, and shall be forwarded by him, together with a statement of all fees due on said dog, to the city assessor and collector where such payment shall be made. The dog may be redeemed by the owner at any time within one month of the sale on payment to the purchaser of the actual expenses. If not so redeemed, it shall become the absolute property of the purchaser. [93—69.]

Sec. 26. Muzzling of vicious dogs; penalty.—It shall be unlawful for the owner or keeper of any dangerous or vicious dog to allow the same to run at large unless properly muzzled, and if such dog be found at large in any public street or place, or upon other premises than those of its owner or keeper, and shall there annoy or endanger any person, it may be seized and impounded by the police. Upon conviction for the above offense, the owner or keeper may be punished by a fine of not more than twenty pesos, and it may be part of the sentence that such dog be killed, in which case the sentence shall be forthwith executed under the direction of the police department. [93—70.]

¹ Licenses for dogs.—See chapter 37 hereof.

Sec. 27. Killing of dogs by police; proviso.—The police may kill any dog found without an owner or keeper, or at large contrary to the provisions of this title, which can not be safely taken up and impounded: *Provided*, That it shall be unlawful to enter private premises to capture, entice, or take any dog therefrom, or to seize or molest any licensed dog while led or held by a line or chain by any person, or to kill or attempt to kill a dog at any other place than the pound, except as specifically provided in this chapter. [93—71.]

Sec. 28. Dogs which are nuisances.—Any dog which disturbs the peace and quiet of the neighborhood by constant barking or whining, or which is, by reason of disease, malformation, or accident, an object of disgust, may, upon petition, signed by five or more residents of the neighborhood, be declared a nuisance by the Municipal Board, who shall in such case notify the owner or keeper of such dog to that effect, and said owner or keeper shall remove or kill it within three days. [93—72.]

Sec. 29. Draft animals running at large.—It shall be unlawful to permit any horse or other draft animal to run loose or at large in a street or public place, and the owner shall be responsible for all damage caused by such animal and for reasonable expenses of care and custody of the same. [11 P. M. G.—20.]

Sec. 30. Police powers of officers of department of sanitation and transportation.—The officers and inspectors of the department of sanitation and transportation shall have full police powers for the purpose of enforcing the provisions of this title. [93—73.]

TITLE 3.

BUILDINGS.

Chap.

- 5. General provisions.
- 6. Definitions.
- 7. Permits.
- 8. House moving.
- 9. Street lines and grades.
- 10. Fire limits.

Chap.

- 11. Construction of buildings.
- 12. Plumbing and house drainage.
- 13. Light and ventilation.
- 14. Unsafe structures.
- 15. Elevators.

CHAPTER 5.

GENERAL PROVISIONS.

Sec.

- 31. Compliance with provisions of title.
- 32. Sanitary requirements.
- 33. Right of entry by city engineer and assistants.

Sec.

- 34. Final inspections by city engineer.
- 35. City engineer's general duty: proviso, permits.
- 36. Penalties.

Sec. 31. Compliance with provisions of title.—No wall, building, or structure, or part thereof, shall be built or constructed, altered, or repaired in the city of Manila except in accordance with the provisions of this title. [78—53.]

Sec. 32. Sanitary requirements.—All buildings erected in the city of Manila shall further conform to the requirements of title eleven hereof. All buildings containing plumbing or plumbing fixtures shall conform to the requirements of chapter twelve hereof. [78—90.]

Sec. 33. Right of entry by city engineer and assistants.—The city engineer, his assistants, and other lawful agents shall have the right to enter upon any building site or premises, or any new or unoccupied building, or any building under construction, repair, or removal, or any building alleged to be unsafe or damaged, upon showing the official badge of office: *Provided, however,* That in case a house is occupied the occupant shall be duly notified in advance of the intended inspection. [78—69.]

Sec. 34. Final inspections by city engineer.—It shall be the duty of the city engineer to make or cause to be made a final inspection of all buildings of strong materials before any such building may be occupied. If such building is found to have been constructed in conformity with the provisions of this title, the city engineer shall issue to the owner or his agent a written certificate to that effect.

The owner or his agent shall notify the city engineer when the building is ready for the final inspection. [78—70.]

Sec. 35. City engineer's general duty; proviso, permits.—The city engineer shall be governed by the provisions of this title in so far as the same may be complete, clear, and applicable, but he shall not grant a permit for the construction, alteration, or repair of any building which shall not conform in all respects to the principles of safe construction or which shall not be suited to the purposes for which the building is designed. [78—Art. 3.]

Sec. 36. Penalties.—The owner of any building or structure or part thereof existing in violation of this title, or any architect, builder, or artisan who may be employed or assist in the commission of a violation of this title, and all persons or corporations who shall violate any of the provisions of the same, or fail to comply therewith, or who shall build in violation of any detailed statement contained in the plans and specifications submitted and approved thereunder shall for each and every such violation or noncompliance be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten pesos nor more than two hundred pesos or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court. [78—Art. 2.]

CHAPTER 6.

DEFINITIONS.

Sec.

37. Alley.
38. Alterations.
39. Area.
40. Attic story.
41. Appendages.
42. Arcade.
43. Balcony.
44. Bay or panel.
45. Bay window.
46. Building.
47. Building line.
48. Building lot or site.
49. Cellar.
50. Columns.
51. Court.
52. Engineer.
53. Factor of safety.
54. First story.
55. Foundation.
56. Footings.
57. Grade.
58. Girder.
59. Ground floor.
60. Hall.
61. Height of building.
62. Height of wall.

Sec.

63. Height of story.
64. Inspector.
65. Incombustible roofing.
66. Incombustible stud partition.
67. Incombustible material.
68. Lot line.
69. Lawn.
70. Length of building.
71. Lintel.
72. Loads in buildings.
73. Masonry.
74. Offsets.
75. Oriel window.
76. Owner.
77. Partition.
78. Piers.
79. Post.
80. Repairs.
81. Show window.
82. Skeleton construction.
83. Street line.
84. Vault.
85. Veneer.
86. Walls.
87. Width of building.
88. Yard.

Sec. 37. Alley.—Any public thoroughfare less than seven meters and fifty centimeters in width between established lines. [78—1.]

Sec. 38. Alterations.—Any changes, additions, or modifications in construction. [78—2.]

Sec. 39. Area.—An open subsurface adjacent to a building or lot line. [78—3.]

Sec. 40. Attic story.—A story situated wholly or partly in the roof. [78—4.]

Sec. 41. Appendages.—Dormer windows, cornices, moldings, bay windows, balconies, copings, domes, towers, spires, ventilators, or any other accessory projecting from a building. [78—5.]

Sec. 42. Arcade.—Any portion of a building above the first floor projecting beyond the first-story wall and supported by independent posts or columns (*soportales*). [78—6.]

Sec. 43. Balcony.—Any portion of a building above the first story projecting beyond the first-story wall and supported either by brackets or by an extension of the second-story floor joists or beams. [78—7.]

Sec. 44. Bay or panel.—One of the intervals or spaces into which the building front is divided by columns, buttresses, or division walls. [78—8.]

Sec. 45. Bay window.—A rectangular, curved, or polygonal window supported on a foundation which projects from the balance of the inclosing wall. [78—9.]

[When such projecting window is supported on brackets or corbels, see Oriel window, sec. 75 hereof.]

Sec. 46. Building.—Any structure erected by art and fixed on or in the soil, composed of several pieces and designed for use in the position in which so fixed.

(a) **Classes:** Buildings shall be divided into three classes, according to the materials entering into their construction, as follows: First, strong-material buildings, in which nothing but iron, steel, stone, concrete, bricks, wood, and other hard materials are used. Second, light-material buildings, in which nothing but nipa, bamboo, cogon, and other light materials are used. Third, mixed-material buildings, in which strong and light materials are combined in any way.

(b) **Composite building:** A framed building with masonry filling.

(c) **Secondary building:** Any building not intended for human habitation and not inclosed by walls. [78—10; 82—1.]

Sec. 47. Building line.—The lines formed by the intersection of the outer surface of the inclosing wall of the building and the surface of the ground. [78—11.]

[See also Street line, sec. 83 hereof.]

Sec. 48. Building lot or site.—(a) **Open lot:** When bounded on all sides by street lines.

(b) **Corner lot:** When bounded on two or three sides by intersecting street lines.

(c) **Through lot:** When running through to and fronting on two street lines with the remaining sides bounded by lot lines.

(d) **Inside lot:** When fronting on but one street or alley and the remaining sides bounded by lot lines. [78—12.]

Sec. 49. Cellar.—That portion of a building below the first tier of floor beams or joists, if wholly or partly below the grade of the adjoining street or ground, and not suitable for human habitation under the provisions of this title. [78—13.]

Sec. 50. Columns.—Isolated supports of wood, stone, iron, or steel, carrying ends of beams, girders, lintels, or trusses. Stone, iron, or steel columns may also carry arches. [78—14.]

Sec. 51. Court.—An unoccupied space between building lines and lot lines other than a yard; free, open, and unobstructed by appendages from the ground upward.

(a) **Inner court:** A court surrounded on all sides by walls is an inner court, and when such inner court is covered over by a skylight it is a lighted court.

(b) **Open court:** A court having one side or end open is an open court. When such opening is on a lot line it is an interior court. When it opens on a street or yard it is an outer court.

(c) **Outer court:** An outer court open to the street is a street court; when on a yard, a yard court; and when street or yard courts adjoin lot lines, a line court is formed.

(d) **Courtyard:** A court between the backs of two buildings on the same lot which is open on the two ends adjoining the lot lines is a courtyard.

(e) **Court way:** When an outer or a line court opens through to another court or yard or to a street or alley, it is a court way.

(f) **Recessed court:** An open court opening into another court, courtyard, or court way is a recessed court. [78—15.]

Sec. 52. Engineer.—The city engineer of the city of Manila. [78—16.]

Sec. 53. Factor of safety.—The quotient obtained by dividing the breaking load by the safe load. [78—17.]

Sec. 54. First story.—The story the floor of which is at or the first above the level of the sidewalk or adjoining ground, the remaining stories being numbered in regular succession upward. [78—18.]

Sec. 55. Foundation.—(a) All the portions of the building or structure below the footings.

(b) The earth upon which the structure rests. [78—19.]

Sec. 56. Footings.—The projecting course at the bottom of the foundation wall or pier. [78—20.]

Sec. 57. Grade.—The surface of the ground or sidewalks adjoining the building. The established grade is the grade of the curb lines as fixed by the Municipal Board, and the natural grade is the

undisturbed natural surface of the ground. The established sidewalk grade for the city of Manila is one centimeter rise for each fifty centimeters of width, starting at and from the top surface of the curb. [78—21.]

Sec. 58. Girder.—A horizontal structural piece which supports the ends of floor beams or joists or carries walls over openings. [78—22.]

[See Lintel, sec. 71 hereof.]

Sec. 59. Ground floor.—The story at or near the level of the grade. The other stories, beginning with second, for the first next above, shall be designated by successive floor numbers counting upward. [78—23.]

Sec. 60. Hall.—(a) **Common hall:** A common hall is a corridor or passageway used in common by all the occupants within a building.

(b) **Stair hall:** A stair hall includes the stair, stair landings, and those portions of the common halls through which it is necessary to pass in going between the entrance floor and the roof.

(c) **Assembly hall.** [See sec. 421 hereof.] [78—24.]

Sec. 61. Height of building.—The height of a building is measured on the center line of its vertical front, from the established or natural grade at the building line, to the highest point in the coping of flat roofs, or to the center height of the highest gable in a pitched roof, or to the center of the hip of a hip roof. If the grade of the lot on the adjoining street or alongside of the building falls below the grade of the front, the height shall be taken from the center of the side having the greatest fall. [78—25.]

Sec. 62. Height of wall.—The perpendicular distance measured from its base line either at the grade or at the top of the girder to the top of the coping thereon. Foundation and retaining walls are measured from the grade downward to the base of the footing. [78—26.]

Sec. 63. Height of story.—The perpendicular distance from top to top of two successive tiers of floor beams or joists, or from the top of floor to top of floor. The clear height of a story or a room is the distance from the floor to the ceiling. The clear height of balconies is measured from the highest point of the sidewalk grade to the under side of the balcony floor joists. If these joists are sealed, this clear height is measured to the under side of the sealing. [78—27.]

Sec. 64. Inspector.—The inspector of buildings or his deputies representing the engineer. [78—28.]

Sec. 65. Incombustible roofing.—A covering of not less than two thicknesses of roofing felt and a good coat of tar and gravel or of tin, corrugated iron, or other approved fire-resisting material with standing seam or lap joint. [78—29.]

Sec. 66. Incombustible stud partition.—A partition plastered on

both sides upon metal lath or wire cloth for the full height, and fire-stopped between the studs with incombustible material, twenty-centimeters above the floor and at the ceiling. [78—30.]

Sec. 67. Incombustible material.—When referred to as structural material, incombustible material means brick, stone, terracotta, concrete, iron, steel, sheet metal, or tiles, used either singly or in combination. [78—31.]

Sec. 68. Lot line.—The line of demarcation between either public or private property. A party line is the lot line between adjoining properties. The building line and lot line may coincide along public properties. [78—32.]

Sec. 69. Lawn.—The sodded space in residence districts between the lot line and the building line, or between the lot line and the sidewalk, or between the sidewalk and the curb. [78—33.]

Sec. 70. Length of building.—Its general linear dimension, usually measured in the direction of the bearing wall for girders. [78—34.]

Sec. 71. Lintel.—A small beam or girder placed over a door or window opening, with ends resting directly on masonry. [78—35.]

[See also Girder, sec. 58 hereof.]

Sec. 72. Loads in buildings.—(a) **Dead load:** The dead load comprehends the actual weight of the wall, floors, roofs, partitions, and all permanent construction.

(b) **Live load:** The live load comprehends all imposed, fixed, or transient loads other than the dead load, due to the occupancy of the building and its exposure to wind pressure. [78—36.]

Sec. 73. Masonry.—Any structure consisting wholly of bricks, concrete, stone, tile, or other similar materials laid in mortar. [78—37.]

Sec. 74. Offset.—An offset or change in the thickness of a wall, regarded as made at the top of the floor beams or joists. [78—40.]

Sec. 75. Oriel window.—A projecting window similar to a bay window, but carried on brackets or corbels. The term “bay window” may also be applied to an oriel window projecting over the street line. [78—39.]

[See also Bay window, sec. 45 hereof.]

Sec. 76. Owner.—Any person, company, or corporation owning the property or properties under consideration or being built upon. For the purpose of this title guardians, receivers, trustees, or other duly authorized persons will be regarded as owners. [78—38.]

Sec. 77. Partition.—An interior subdividing wall. [78—41.]

Sec. 78. Piers.—Isolated masses of masonry forming supports for arches, columns, girders, lintels, trusses, and similar structural parts. [78—42.]

Sec. 79. Post.—A wooden support or column. [78—43.]

Sec. 80. Repairs.—Renewal of any existing parts of a building for the purpose of its maintenance, without changing its original form. [78—44.]

Sec. 81. Show window.—A store window in which goods are displayed. [78—45.]

Sec. 82. Skeleton construction.—Construction in which all external and internal loads and stresses are transmitted from the top of the building to the foundation by a skeleton or framework of metal. [78—46.]

Sec. 83. Street line.—The line of demarcation where the building line and the lot line coincide along any public street, alley, park, or any other public property. [78—47.]

Sec. 84. Vault.—Any underground construction covered on top, or any fireproof construction intended for the storage of valuables. [78—48.]

Sec. 85. Veneer.—The outer facing of brick, stone, concrete, tile, or metal of an inclosing wall used for the protection of the backing but not considered as increasing the strength of the building. [78—49.]

Sec. 86. Walls.—(a) **Bearing wall:** A wall on which either floor or roof construction, or both, rest.

(b) **Cross wall:** A term which may be used synonymously with partition.

(c) **Curtain wall:** The inclosing wall of an iron or steel framework or the nonbearing portion of an inclosing wall between piers.

(d) **Dead wall:** A wall without openings.

(e) **Fire wall:** A coping or parapet wall above the roof, or any division or partition wall inclosing limited areas for fire protection.

(f) **Foundation wall:** That portion of an inclosing wall below the first tier of floor joists.

(g) **Party wall:** A wall separating two or more buildings and used or to be used in common by the said buildings.

(h) **Retaining wall:** A subsurface wall built to resist the lateral pressure of adjoining earth, or an inclosing wall to resist the lateral pressure of internal loads.

(i) **Thickness of wall:** The minimum thickness measured on the bed. [78—50.]

Sec. 87. Width of building.—Its shortest linear dimension, usually measured in the direction of the floor beams or joists. [78—51.]

Sec. 88. Yard.—The vacant space left in a lot between the building and the property line. [78—52.]

CHAPTER 7.

PERMITS.¹

Sec.	Sec.
89. Permits necessary.	100. Superimposed and typical plans.
90. Excavations in streets, permits for.	101. Specifications.
91. Connections with sewers, permits for.	102. Alteration or erasure of plans; deviations.
92. Applications for connections with sewers, etc.	103. Consideration of applications.
93. Permits void, when; result.	104. When permits not required.
94. Applications.	105. Permits refused until sanitary accommodations provided.
95. Statements.	106. Permits refused until plumbing plans approved.
96. Situation plans.	107. Issuance.
97. Scale of situation plans.	108. Fees.
98. Character of plans.	109. Revocation.
99. Drawings.	

Sec. 89. Permits necessary.²—Before commencing or proceeding with the erection, construction, alteration, repair, or removal of any building or structure, or any part thereof, in the city of Manila, permit therefor shall first be obtained by the owner or his agent from the engineer, and it shall be unlawful to commence or proceed with any such work before such permit shall have been duly obtained. [78—54.]

Sec. 90. Excavations in streets, permits for.³—No person shall make any cut, trench, or excavation in any highway, street, reservation, or public place in the city of Manila, or disturb or remove any public work or materials therein, without a permit to do so from the engineer, which said permit shall be kept at the place of excavation while work is being done, and shall be exhibited whenever called for by inspectors, police, or other persons having authority to examine the same. [86—19.]

Sec. 91. Connections with sewers, permits for.—No house or premises shall be connected with water main or sewer without a permit previously obtained from the engineer. The conditions of this permit shall be strictly complied with, and in case of connection with the sewer the work shall be done by the master plumber in whose name the permit is given. This regulation shall apply

¹ **House moving and elevators.**—For provisions concerning permits for, see secs. 111 and 242, respectively, hereof.

² **Permits, when granted.**—A refusal to grant a permit is beyond power of city when not a measure in connection with building regulations, but is an attempt to suppress, without due process of law, real rights attached to property; city engineer ordered by Supreme Court to issue license to plaintiff for construction of a terrace within 3-meter strip along canal of San Jacinto, Binondo: *Roxas v. City of Manila*, 9 Phil., 215.

³ **Various uses of streets.**—For further provisions concerning permits for, see secs. 847–850, 852 hereof.

to all sewers, whether on private property or in public streets or alleys. [86—20.]

Sec. 92. Applications for connections with sewers, etc.—Every application to connect a building, lot, premises, or establishment with a water main or service pipe, public or private sewer, conduit, or other underground structure or to repair a house sewer or service pipe for water, or any other underground structure, shall state the exact location and number of building or premises, and shall be signed by the property owner. [86—21.]

Sec. 93. Permits void, when; result.—If, after a permit shall have been issued, the operations therein authorized shall not have been begun within ninety days from the date of said permit, the permit shall be null and void, and before such operations may be begun the owner or his agent shall make application for a new permit. The fees as hereafter in this chapter fixed for the original permit shall be paid therefor. [78—55.]

Sec. 94. Applications.—The owner or his agent shall make application in writing for the permit to the engineer upon forms furnished by the department of engineering and public works, and the application shall be accompanied by the plans and specifications required under this title. [78—56.]

Sec. 95. Statements.—The application shall be accompanied by a statement in writing giving the estimated cost of the building or structure and its location and intended use. The said application shall be kept on file in the office of the engineer and shall become a part of the plans and specifications by this chapter prescribed. In case the applicant shall fail to submit a correct estimate of the cost of the work intended, it shall be the duty of the engineer to correct the estimate. [78—57.]

Sec. 96. Situation plans.—The application shall also be accompanied by a plat of the lot or site upon which it is intended to erect such building or structure, which plat shall show the location and dimensions of the lot, the streets, alleys, or court ways upon which such lot abuts and the location of any building or structure thereon or within three meters thereof. The plat shall also show the plan of the first story in heavy lines and shall show all projections in their extremes, in broken lines. The plat shall be inclosed in a single heavy line, leaving a twenty-five millimeter border or margin on all sides, and shall be oriented and lettered with the north point of the compass directed to the top of the sheet. [78—58.]

Sec. 97. Scale of situation plans.—When the lot to be shown shall be less than thirty meters in its narrowest dimension and not more than sixty meters in length, the plan shall be on a uniform scale of one to two hundred. When the lot shall be greater in dimension than as before noted, the plan shall be drawn on a uniform scale of one to four hundred. The outside dimensions of the lot and building shall be given. [78—59.]

Sec. 98. Character of plans.—All plans and drawings required by this title shall be presented in triplicate, one set drawn on paper or cloth in ink and signed by a competent architect or civil engineer with his address, and two duplicate sets drawn on paper or cloth or a print. One of the duplicate sets shall become a part of the official records of the engineer and the other set shall be forwarded by the engineer to the Bureau of Health.

All distances, heights, dimensions, thicknesses, and sizes of walls, supporting members, structural parts, and openings shall be accurately figured and noted. The drawings shall show the entire water and sewerage system and all drains, soil and waste pipes, and the location of all plumbing fixtures, electrical wiring, and electric outlets. [78—60.]

Sec. 99. Drawings.—The following drawings may be required :

(a) The general drawing consisting of the foundation and footing plan ;

(b) The plan of the floors and roof ;

(c) Transverse and longitudinal sections ;

(d) At least two elevations ;

(e) The necessary framing plans to show the complete framing of the building or structure.

Should the engineer find that the provisions hereinbefore set forth in this section do not definitely or clearly show the framing of the structural parts, he may require the filing of detail plans of such parts on a suitable scale. [78—61.]

Sec. 100. Superimposed and typical plans.—Nothing contained in any previous section of this chapter shall be so construed as to prevent the showing of several of the floor plans superimposed: *Provided, however,* That when there is any change or deviation in the thickness of walls or the dimensions of the structural parts, such changes or deviations shall be distinctly figured and noted. Whenever application is made for the construction of a block or group of buildings, duplicate or similarly arranged plans of one or two only, typical of all, will be required ; but any distinct building or part of such block shall be shown on the situation plan, and each such distinct building or part of the block shall be classed as one building and separate permits shall be issued therefor. [78—62.]

Sec. 101. Specifications.—Every set of plans submitted shall be accompanied by a set of specifications describing all materials to be used and the work contemplated, in clear and specific language, such that the engineer may obtain full and complete information as to the extent and character of the work. Such specifications shall be written in ink, typewritten, or printed. [78—63.]

Sec. 102. Alteration or erasure of plans; deviations.—It shall be unlawful to erase, modify, or alter any lines, figures, or coloring contained upon any drawings or specifications filed with the engineer. If, during the progress of the work, it be desired to

deviate in any manner from the plans in such a way as to affect the essential features of the construction, notice of the desire to alter or deviate shall be made in writing to the engineer and his written assent shall be obtained before any such alteration or deviation shall be allowable. If such alteration or deviation affects the bearing or structural parts of the building or changes the class of the building for which the original permit was issued, new plans shall be submitted and a new fee shall be paid. [78—64.]

Sec. 103. Consideration of applications, etc.—All applications, plans, and specifications shall be dated by the engineer on receipt, and shall be taken up in their regular order as received. No plans or specifications shall be passed on out of their order unless the building for which the application has been filed be of a complex character requiring prolonged examination and inspection. [78—67.]

Sec. 104. When permits not required.—Permits will not be required for minor interior repairs when there is no interference with the structural parts of the building. Repairs or partitioning off in buildings not involving any change in the supporting walls, members or structural parts, light, or ventilation will not require a permit, but such changes or repairs shall be reported to the engineer who shall in every case decide as to the necessity for a permit. Permits will not be required for the construction of fences. [78—65.]

Sec. 105. Permits refused until sanitary accommodations provided.—The engineer shall not issue a permit for the erection or construction of any building or structure the plans of which do not conform to the requirements of title eleven hereof: *Provided*, That in all matters not covered by ordinances he shall exercise his judgment and discretion: *And provided further*, That he shall not permit any contractor or other person to carry on any building or repair work, or street-car or railroad track construction, excavating, or other work upon which as many as five persons are engaged, until such contractor or other person first submits to said engineer for approval or rejection a plan or written statement, as may be required, of the facilities available or to be provided for the disposal of the excreta of the persons employed on said building or repair work, or street-car or railroad track construction, or other work, and no such work shall be begun until said sanitary accommodations have been provided. [86—8.]

Sec. 106. Permits refused until plumbing plans approved.—No permit shall be given for the erection of any building until the plumbing plans and specifications described in chapter twelve hereof have been presented and approved. [86—17.]

Sec. 107. Issuance.—When the application, plans, and specifications conform to the requirements of this title and of title eleven hereof, the engineer shall issue a permit for the erection of the building and shall approve such plans and specifications in writing. One

copy of all approved plans and specifications shall be returned to the owner or his agent and one copy shall be retained by the engineer. [78—66.]

Sec. 108. Fees.—The engineer shall issue permits as required by this title and shall fix the fees to be paid therefor at the following rates:

Buildings of strong materials.

(a) For the construction of a new building or the addition of a story, or an addition to a building already constructed up to one hundred square meters in plan, for each floor.....	₱7.50
(b) For each square meter in plan in excess of the above, for each floor .....	.10
(c) For construction of roof	5.00
(d) For alterations or repairs to an existing building not exceeding fifty pesos in value .....	.50
(e) For repairs to an existing building exceeding fifty pesos in value, for each floor.....	5.00
(f) For repairs to the wall or front of a building, or the construction of the same, per linear meter .....	.30
(g) For the construction of a secondary building not exceeding fifty square meters in area	1.50
(h) For each square meter in plan in excess of the above.....	.03

Buildings of light materials.

(a) For the construction of a building up to fifty square meters in area	1.00
(b) For the construction of a building from fifty square meters to one hundred square meters in area.....	2.00
(c) For the construction of a building over one hundred square meters in area	3.00
(d) For material repairs, additions, or alterations up to fifty square meters in area .....	.50
(e) For material repairs, additions, or alterations, from fifty to one hundred square meters in area	1.00
(f) For material repairs, additions, or alterations over one hundred square meters in area	1.50

Buildings of mixed materials.

(a) For the construction of a building up to fifty square meters in area:	
For one floor	3.00
For two floors	5.00
(b) For the construction of a building from fifty to one hundred square meters in area:	
For one floor	4.00
For two floors	6.00
(c) For the construction of a building over one hundred square meters in area:	
For one floor	6.00
For two floors	10.00
(d) For material repairs, additions, or alterations up to fifty square meters in area	1.00
(e) For material repairs, additions, or alterations from fifty to one hundred square meters in area	2.00
(f) For material repairs, additions, or alterations over one hundred square meters in area	3.00

Miscellaneous.

(a) For the erection of any sign or billboard.....	P2.50
(b) For the inspection of a passenger or freight elevator.....	10.00
(c) For moving or raising any building, in addition to the other fees for permits:	
For a strong-material building	5.00
For a mixed-material building	3.00
For a light-material building	1.00
(d) For the use of a public street as provided in section eight hundred and twenty-four hereof:	
For a distance, measured in the street, not greater than twenty meters, for each calendar month	5.00
For a distance greater than twenty meters, for each calendar month	7.50

[78—72; 82—2.]

Sec. 109. Revocation.—When the work for which any building permit was issued is not being performed in accordance with the plans and specifications on file, it shall be the duty of the engineer to notify the owner or his agent that the work is being carried on in violation of the permit, and that such work must be suspended until a permit for such deviation from the plans or specifications be obtained, or that such work shall be made to conform to the plans and specifications as filed. If the owner or his agent fail to comply with said notice on the service thereof, it shall be the duty of the engineer to revoke the permit. Written notice of such revocation signed by the engineer shall be immediately served upon the owner or his agent and shall be posted on the premises, and it shall be unlawful for any person to perform any work in or about such structure thereafter. [78—71.]

CHAPTER 8.**HOUSE MOVING.**

Sec.	Sec.
110. House movers' permission.	111. Permits issued when.

Sec. 110. House movers' permission.—No person except a licensed house mover shall move or raise any building from its foundation within the city of Manila. Every person engaged in such occupation shall annually obtain from the engineer permission to conduct such business, and before such permission shall be issued the person making application therefor shall give bond, in favor of the city of Manila, in the sum of two thousand pesos, with good and sufficient sureties, conditioned, among other things, that said person shall pay any and all damages which may happen to any tree, pavement, street, or sidewalk, or to any pole or electrical device belonging to the city of Manila, whenever said damage shall be caused by the said person or his agents, and conditioned further that the said

person will save and indemnify the city of Manila against all liabilities, judgments, damages, costs, and expenses which may in any wise accrue against the said city of Manila in consequence of the granting of such permission, and will in all things strictly comply with the conditions of the permission. [78—74.]

Sec. 111. Permits issued when.—When written application is made to the engineer to move or raise any building, he shall cause such building to be inspected, and if he shall find that the building may be moved in safety in the manner proposed, and that the moving thereof will violate no city ordinance, he shall issue the permit upon the payment of the proper fee. [78—76.]

CHAPTER 9.

STREET LINES AND GRADES.

Sec.

112. How established; conformance to.

113. Marking.

114. Level of ground.

115. Sidewalks.

116. Corner buildings with chafflans.

Sec.

117. Projections over streets.

118. Width of street, how determined.

119. Undivided property, plans of street system.

120. Fees.

Sec. 112. How established; conformance to.—The Municipal Board, by virtue of the power with which it is vested, shall establish lines and grades for all streets and public ways within the city of Manila. When so established these shall be approved lines and grades and all buildings and structures erected within the city of Manila shall conform thereto. [78—77.]

Sec. 113. Marking.—Upon the issuance of a permit for the erection of a building, and following the payment of a fee as in this chapter provided, the engineer, upon the request of the owner or his agent, shall proceed with the least delay to mark the lines and grades to which said building or structure must conform. The owner or his agent shall be notified by the engineer at least one day prior to the actual marking of the lines and grades, to the end that he may, if he so desire, be present. [78—78.]

Sec. 114. Level of ground.—The level of the ground below and within any building erected and intended for human habitation shall not be less than fifteen centimeters above the established sidewalk grade at the established building line. [89—1.]

Sec. 115. Sidewalks.—The width and grade for the sidewalk in each street shall be determined by the engineer in general conformity with the following regulations:

On streets less than twenty meters in width one-sixth of the entire width between property lines, and on streets twenty meters or over

in width one-fifth of the width between property lines shall be devoted to the sidewalk on each side of the street. Variations from this width require the approval of the Municipal Board. No street shall be less than five meters in clear width between curb lines. [78—86.]

Sec. 116. Corner buildings with chafans.—Every corner building on a public street or alley less than twelve meters in width shall be made with a chafan or truncated angle at the corner. The face of the triangle so formed shall be at right angles to the bisector of the angle of intersection of the street lines. In no case shall the length of this chafan be less than four meters. In special cases the engineer shall determine the size and form of the chafan. [78—88.]

Sec. 117. Projections over streets.—On streets less than eight meters in width no balconies or other permanent projections shall be permitted: *Provided*, That this prohibition shall not apply to awnings or other movable *medias aguas* or eaves not wider than thirty centimeters. On streets from eight to fifteen meters in width balconies and other projections may be constructed to within one meter of the established curb line. On streets from fifteen to twenty meters in width balconies and other projections may not extend more than one and one-half meters over the established sidewalk. On streets twenty meters or more in width arcades of a width not to exceed one and one-half meters less than the total width of the established sidewalk may be allowed. The exact width and height of these arcades shall be determined by the engineer and shall be uniform in each block. On streets or portions of streets, designated by the Municipal Board, the building of arcades shall be obligatory. In all cases the general form of arcades or projections shall be determined by the engineer. All projections shall be at least three meters above the established sidewalk grade at the established street line. [82—3.]

Sec. 118. Width of street, how determined.—In determining the width of a street for the purposes of the last preceding section, measurement shall be made at its narrowest point in each block or square, and this measurement shall be considered the width of the street to govern the construction on said street in said block or square. [53—1.]

Sec. 119. Undivided property, plans of street system.—No building shall be erected on undivided property, except buildings owned and used by the owner of such property. Before permits for buildings are approved, plans of the proposed street system for subdividing the property shall be presented to the engineer for his approval. Such plans shall conform to the plans of the general street system on file in the office of the engineer, and in all cases areas sufficient to comply with this title with reference to light, air, and ventilation shall be provided and left vacant. [78—158.]

Sec. 120. Fees.—For the work of establishing street lines and

grades in accordance with the provisions of this title the engineer shall charge and require the payment of fees at the following rates:

(a) For an inside lot, per linear meter of line.....	₱0.40
(b) For a corner lot, per linear meter of line .....	.30
(c) For a lot with three frontages on public streets, per linear meter .....	.25
(d) For a lot with frontages on all sides upon public streets, per linear meter .....	.20

The minimum fee charged in any case shall be five pesos. In case the stakes marking line and grade be lost, fees in conformity with this schedule shall be charged for each additional marking. [78—73.]

CHAPTER 10.

FIRE LIMITS.

Sec.	Sec.
121. Building districts, line dividing.	124. District of light materials, construction of buildings.
122. District of strong materials, construction of buildings.	125. Buildings of light materials within district of strong materials; permits.
123. Limitations.	

Sec. 121. Building districts, line dividing.—For the purpose of inspection and regulation of buildings and structures erected or to be erected within the city of Manila, there are established two building districts, the inner, to be known as the district of strong materials, and the outer, to be known as the district of light materials. The line dividing these districts shall be located as follows:

Beginning at a point on Manila Bay in the center line of Calle Moriones, eastward along said center line extended to the west branch of the Estero de Magdalena; thence in a northeasterly and southerly direction in the bed of said estero to the center line of Calle Latorre; thence along the said center line of Calle Latorre to the Estero of San Lazaro; thence in the bed of said estero to the center line extended of Calle Mayhaligne; thence along the said center line of Calle Mayhaligne to the center line of Calle Felix Huertas; thence along the said center line of Calle Felix Huertas to the center line of Calle Zurbaran; thence along the said center line of Calle Zurbaran to the Estero de Bilibid; thence in a general easterly direction in the bed of said estero to the center line of Calle San Anton; thence along the said center line of Calle San Anton to the center line of Calle Manrique; thence along the said center line of Calle Manrique to the center line of Calle Lavanderos; thence along the said center line of Calle Lavanderos and a line parallel to Calles Alix and Santa Mesa and at a distance of thirty meters from said streets to the Estero de Valencia; thence in the

bed of said estero to the Pasig River; thence in the bed of the said river to the Estero de Paco; thence in the bed of said estero to the center line of Calle San Gregorio; thence in the said center line of Calle San Gregorio to the center line of Calle Peñafrancia; thence in the said center line of Calle Peñafrancia to the center line of Calle Rosario; thence in the said center line of Calle Rosario to Estero de Paco; thence in the bed of said estero to the center line of First Avenue South extended; thence along the said center line of First Avenue South to the center line of Pennsylvania Avenue; thence in the said center line of Pennsylvania Avenue to the center line of Calle San Andres; thence along the said center line of Calle San Andres to the Estero de San Antonio, and thence in the bed of said estero to Manila Bay. [78—79.]

Sec. 122. District of strong materials, construction of buildings.—

All buildings and structures erected or repaired within the district of strong materials shall be of stone, brick, iron, steel, or wood of a substantial and approved kind and quality, or strong material of a similar character, and the use of bamboo, nipa, cogon, and other light materials in the construction and repair of buildings and structures in such district is prohibited, except that repairs only to light-material buildings in the section limited by the Estero de Paco, Calle San Gregorio, Calle Peñafrancia, and Calle Rosario, the Island of Tanque, and that section limited by Calle Nueva, Calle San Andres, Florida Street, and Calle Herran shall be permitted until the first day of January, nineteen hundred and fourteen. [78—80.]

Sec. 123. Limitations.—The provisions of the last preceding section shall not apply to—

(a) **Bamboo fences:** Bamboo fences around small cottages and vacant plots of ground, but such fences shall not be closer to any house than three meters and shall not exceed two and one-half meters in height;

(b) **Close-woven matting:** Close-woven matting secured to the under side of rafters or purlins of small metal-roofed houses for protection against heat radiation: *Provided*, That a ventilated air space of at least twelve centimeters shall be left between the matting and the roof: *And provided further*, That no part of such matting shall be exposed to view beneath the eaves;

(c) **Sheds:** Sheds or shelters for temporary use only, erected in accordance with written permit from the engineer. [78—80.]

Sec. 124. District of light materials, construction of buildings.—

In the district of light materials, nipa, bamboo, cogon, and other light materials of similar character may be used in the construction or repair of buildings and other structures: *Provided, however*, That every building so constructed within this district shall have a space, clear of all construction, of at least one and one-half meters separating it in all directions, except on the street side, from the limits of the lot upon which the said building is constructed. Buildings on

the same lot shall be separated by a clear space of not less than three meters, if either building be constructed of light material. Fences of bamboo or other light material shall not exceed two and one-half meters in height. [78—81.]

Sec. 125. Buildings of light materials within district of strong materials; permits.—No permits shall be issued for the alteration or repair of buildings of light materials now standing within the district of strong materials except as provided in section one hundred and twenty-two hereof. [78—82.]

CHAPTER 11.

CONSTRUCTION OF BUILDINGS.

GENERAL RULES.

- Sec.
 126. Quality of material.
 127. Brick.
 128. Stone.
 129. Sand.
 130. Lime.
 131. Cement.
 132. Concrete.
 133. Lumber.
 134. Wrought iron.
 135. Cast iron.
 136. Steel.
 137. Tests of materials.
 138. Calculation of stresses.
 139. Factors of safety.
 140. Safe loads on soils.
 141. Piling or compressing; tests.
 142. Foundations, silty soil.
 143. Footing courses.
 144. Foundations.
 145. Walls.
 146. Buttresses.
 147. Height of buildings, wall filling, framework, etc.
 148. Minimum thickness, composite walls.

FRAMING.

149. Details.
 150. Floor and roof beams and joists.
 151. Bridging.
 152. Cut beams and joists.
 153. Stud partitions.
 154. Balconies and porches.

IRON AND STEEL CONSTRUCTION.

- Sec.
 155. Wrought iron and steel columns.
 156. Cast-iron columns.
 157. Rolled-steel and wrought-iron beams.
 158. Tie-rods.
 159. Connections.
 160. Riveting.
 161. Trusses.
 162. Wall plates.
 163. Bracing of frames.
 164. Painting of structural metal work.
 165. Inclosure below water level.

SKELETON FRAME.

166. Proportioning.
 167. Floor system.
 168. Inclosing wall.

ROOFS AND APPENDAGES.

169. Combustible roofing.
 170. Gravel roofs; other roofs allowed.
 171. Construction of roofs.
 172. Downspouts and gutters.
 173. Tanks.
 174. Ventilators and skylights.

IRON, STEEL, AND METAL SHUTTERS, BLINDS, AND DOORS.

175. Locks, and openings in certain buildings.
 176. Locks, and openings in stores and shops.
 177. Penalty.

GENERAL RULES.

Sec. 126. Quality of material.—All materials used shall be of good quality, for the purposes for which they are intended, and shall conform to the trade and manufacturers' standards. Each class of material shall be free from imperfections whereby its strength or durability may be impaired. [78—93.]

Sec. 127. Brick.—The brick in this chapter referred to is the merchantable common brick of domestic or imported manufacture. [78—94.]

Sec. 128. Stone.—The stone in this chapter referred to is the ordinary building stone of commerce. When Guadalupe, Meycauayan, or other soft stone is used it shall be subject to such tests as the engineer may direct and shall not be used where such tests show it to be insufficient for the superimposed load. [78—95.]

Sec. 129. Sand.—Sand shall be clean, sharp, and free from organic matter. [78—96.]

Sec. 130. Lime.—Lime shall be the fresh-burned quicklime or ordinary lime of commerce. [78—97.]

Sec. 131. Cement.—The cement referred to is the standard Portland cement of commerce, which, when tested neat after one day's set in air, shall be capable of sustaining without rupture a tensile stress of at least fifteen kilograms per square centimeter, and after one day's set in air and six days in water shall be capable of sustaining without rupture a tensile stress of thirty-four kilograms per square centimeter. [78—98.]

Sec. 132. Concrete.—Concrete shall be composed of Portland cement, sand, and broken stone, or coarse gravel or broken brick. For the purpose of floors in fireproof buildings clean boiler cinders may be used. [78—99.]

Sec. 133. Lumber.—The lumber used for building purposes shall be the native or imported merchantable timber of commerce. [78—100.]

Sec. 134. Wrought iron.—All wrought iron shall be fibrous, tough, and ductile. [78—101.]

Sec. 135. Cast iron.—Cast iron shall be of good foundry mixture, producing a clean, tough gray iron. [78—102.]

Sec. 136. Steel.—Structural steel shall be that fabricated either by the Bessemer or the open-hearth method. [78—103.]

Sec. 137. Tests of materials.—All structural materials of whatever nature shall be subject to test to determine their character and quality, by methods prescribed by the engineer. No new class of structural material shall be used until the same has been tested and found to fulfill the minimum conditions necessary for good and safe building. [78—104.]

Sec. 138. Calculation of stresses.—The stresses used in materials for construction shall be calculated stresses due to the dead load plus the applied live load. The strength of parts and combinations

of materials used shall be determined in accordance with the rules and quantities prescribed by standard modern authorities on the strength of materials, applied mechanics, and engineering practice. [78—105.]

Sec. 139. Factors of safety.—In computing the working stresses in the framing of any building the following factors of safety shall be employed:

(a) For wrought iron or steel, subject to compression or to tension or to transverse stresses, four;

(b) For cast iron subject to tension or transverse stresses, ten;

(c) For cast iron subject to compression, in plates and columns of ordinary or short length, according to the uniformity in thickness of shell, six to eight;

(d) For long cast-iron columns, according to the uniformity in thickness of shell, eight to ten;

(e) For timber subject to tension or transverse stresses, six;

(f) For timber subject to compression in short columns or posts, four;

(g) For timber subject to compression in long columns or posts, five;

(h) For stone or concrete, ten;

(i) For frame structures composed of two or more pieces of the same material or a combination of several kinds of pieces, such as frames, brackets, cantilevers, trusses, and so forth, four;

(j) For frame structures as described in the last preceding subsection, exposed to the vibrations of machinery, trucking, or shocks, or exposed to the action of the elements, six;

(k) For floors of arch construction, composed of brick, concrete, tile, or reinforced concrete, or flat lintels or similar bearing parts between beams, seven.

(l) In general, the first group of native timber as classified by the Bureau of Forestry shall be assumed to be equal in strength to the best quality of American white oak; the second group of native timber as equal to the best quality of Oregon pine; and the third and fourth groups of native timber as equal to the best quality of American white pine. Where the tests of the Bureau of Forestry show that the strength of a particular kind of native wood is such that it may be classified in any of the preceding groups, a corresponding increase in the working stresses may be allowed. [78—106.]

Sec. 140. Safe loads on soils.—Good, sound, natural earth shall not be subjected to a greater loading than the following, in milliers, or metric tons, per square meter:

Gravel and coarse sand, fifty;

Dry hard clay or fine sand compacted, thirty;

Soft, wet sand, fifteen;

Quicksand or alluvial soils such as commonly occur in Manila, ten. [78—107.]

Sec. 141. Piling or compressing; tests.—In the construction of buildings on soft soil, piling or other approved methods of compressing the soil shall be used. When doubt arises as to the safe sustaining power of the ground upon which a building is to be erected, the engineer may direct that the sustaining power of the soil shall be tested by and at the expense of the owner, in order that its class may be definitely determined. [78—108.]

Sec. 142. Foundations, silty soil.—Foundations on silty soil shall be hydraulic, of concrete or stone, bonded with Portland-cement mortar. [78—109.]

Sec. 143. Footing courses.—The footing courses shall be of stone or concrete, or steel beams embedded in concrete, or any combination of these, of sufficient dimensions and strength to bear in safety the load to be placed upon the building. If footing courses be of concrete, the concrete shall be not less than thirty centimeters thick per course. [78—110.]

Sec. 144. Foundations.—The foundations of any brick or stone building shall reach to a minimum depth of fifty centimeters below the surface of the ground. Isolated piers shall extend at least one meter below the surface of the ground. In buildings of masonry or framework the uprights of the framework shall extend in the foundations or piers not less than fifty centimeters, or the posts may be erected upon a continuous sill imbedded in the masonry foundations. In the construction of buildings with walls of masonry no Guadalupe stone shall be used in the foundations, and no wooden pile or timber foundations shall be permitted above the lowest level of seepage water. [78—110.]

Sec. 145. Walls.—Masonry bearing walls not containing framework shall have a minimum thickness of one-eighth of their height. Masonry partition walls not containing framework shall have a minimum thickness of twenty centimeters. Masonry bearing walls shall be securely bonded at the corners, partition walls securely bonded into main walls, and the framework securely bonded into all the walls. No main wall shall be of greater length than twice its height without meeting a partition wall or other adequate support. [78—111.]

Sec. 146. Buttresses.—Buttressed main walls without framework shall have a thickness of at least thirty centimeters between buttresses, and buttressed walls with framework shall have a thickness of at least twenty centimeters between buttresses. Buttresses shall not be more than six meters apart. The thickness of the wall shall be considered as one-half the thickness of the projection of the buttresses beyond the face of the connecting wall plus the thickness of the connecting wall. [78—112.]

Sec. 147. Height of buildings, wall filling, framework, etc.—Masonry walls not containing framework shall be not more than one story nor more than five meters in height, except that gables may be carried to an extreme height at the peak of seven meters.

All plans of buildings more than five meters in height shall show the details of the framework complete. Plans for buildings more than two stories in height shall state the estimated weight to be carried upon and above each floor. Composite buildings shall be so designed that the framework will safely support the superimposed weight, independently of the masonry filling, and withstand a wind pressure of two hundred kilograms per square meter against the roof and sides of building. When said framework is of wood the masonry filling shall not be more than two stories in height. Wall filling for the second story shall be not greater in thickness than fifteen centimeters and shall be securely locked to the main framework by tonguing and grooving, or by steel or wrought-iron angles, plates, or channels, firmly bolted to the framework. No single section of filling so confined shall exceed one and one-half square meters in area. Wall filling for the first story may be of a maximum thickness equal to the framework and shall be securely locked to the framework as above. No single section of filling so confined shall exceed three square meters in area. Plans for such construction shall show to a suitable scale the complete detail of the method of confining the filling. Composite buildings with wooden framework shall not be constructed to a greater height than three stories, nor shall they exceed a total height of twelve meters. [78—113.]

Sec. 148. Minimum thickness, composite walls.—Composite walls of masonry and framework may be four stories in height and shall be of a minimum thickness, as designated in the following table:

Height.	First story.	Second story.	Third story.	Fourth story.
	<i>Centimeters.</i>	<i>Centimeters.</i>	<i>Centimeters.</i>	<i>Centimeters.</i>
One story -----	20	-----	-----	-----
Two stories -----	35	20	-----	-----
Three stories -----	50	35	20	-----
Four stories -----	60	50	35	20

[78—114.]

FRAMING.

Sec. 149. Details.—Plans of all buildings over five meters in height shall show the details of the framing, and should the height exceed two stories or nine meters a detailed calculation of the strength of all the members of the framework. [78—115.]

Sec. 150. Floor and roof beams and joists.—No floor or roof beams or joists used in any building erected shall be of a thickness less than five centimeters, except in dwelling houses not exceeding five meters in width, where a thickness of four centimeters may be permitted. The ends of all floor joists or roof beams shall have a bearing of at least ten centimeters. [82—4.]

Sec. 151. Bridging.—All wooden floor or wooden roof joists shall be properly bridged with cross-bridging where, in the judgment of the engineer, such bridging may be necessary to insure stability. [78—117.]

Sec. 152. Cut beams and joists.—No wooden beam or joist shall be cut for pipe or bored for electric work when the cut is deeper than, or the center of the bore hole is below, one-fifth of its depth from the top, nor at a point beyond three times its depth from the ends. Cuts or centers of bore holes shall never be more than five centimeters below the top, and if such cut exceeds one-fifth of the depth of the joist, such joist shall be made at least two centimeters deeper, or the design of the wiring or piping shall be changed. [78—118.]

Sec. 153. Stud partitions.—No stud in a bearing or partition wall shall be of less dimension than five centimeters by ten centimeters. No wooden stud partition shall pass through from floor to floor, but shall rest on the floor on the plates. All angles and corners shall be framed solid from the foundations to the roof. [78—119.]

Sec. 154. Balconies and porches.—Wooden balconies or porches shall be so designed as to be supported by the projection of the floor beams, but may be reinforced by suitable brackets from the main walls or posts, or by additional posts set upon footings in the ground. [78—120.]

IRON AND STEEL CONSTRUCTION.

Sec. 155. Wrought-iron and steel columns.—(a) No material shall be used in any wrought-iron or steel columns of less than one thirty-second of its unsupported width, measured between centers of rivets transversely, or one-sixteenth of the distance between centers of rivets in the direction of the stress.

(b) The ends of all columns shall be faced to a plane surface at right angles to the axis of the column, and the connections between them shall be made with splice plates near the floor line. When the section of the columns to be spliced is such that splice plates can not be used, connections formed of plates and angles may be used when designed to distribute the stress in a proper manner.

(c) Steel and wrought-iron columns shall be made in one, two, and three story lengths, and the material shall be rolled in one length wherever practicable to avoid intermediate splicing. [78—121.]

Sec. 156. Cast-iron columns.—All cast-iron columns should be of good workmanship and material. In computing the strength of a cast-iron column its thickness shall be measured at its thinnest part, and the column shall be condemned if the computation show that the strength of the piece be less than required by this title. Wherever blowholes or imperfections are found in a cast-iron column

which reduce the area of the cross-section at the point more than ten per centum, such column shall be condemned. Cast-iron posts or columns without one open side or back shall, before being set in place be drilled in the shaft with a one-centimeter hole to exhibit to the inspector the thickness of said casting. Such hole shall be drilled under the supervision of the inspector, by and at the expense of the owner or contractor. [78—121.]

Sec. 157. Rolled-steel and wrought-iron beams.—All rolled-steel and wrought-iron floor and roof beams used in buildings shall be of full weight and free from injurious defects. [78—122.]

Sec. 158. Tie-rods.—Tie-rods shall be proportioned to resist their respective stresses and be provided with bolts or turn-buckles according to the duty which they are intended to perform. [78—123.]

Sec. 159. Connections.—All framing of an iron or steel frame shall have shop and field connections made by riveting, if possible. When riveting is not possible, connections may be effected with bolts. [78—124.]

Sec. 160. Riveting.—The distance from center of rivet hole to the edge of the piece shall not be less than one and one-half times the diameter of the rivet. Wherever possible, however, the distance should be equal to two diameters. When practicable, rivets shall be machine driven. The pitch of rivets shall never be less than three diameters of the rivet nor more than fifteen centimeters. Gusset plates shall be provided wherever necessary, of a sufficient thickness and size to accommodate the number of rivets necessary to make the connection. [78—125.]

Sec. 161. Trusses.—Trusses shall be of such design that there will be no ambiguity in the stresses. All trusses shall be held rigidly in position by efficient systems of lateral and sway bracing. [78—126.]

Sec. 162. Wall plates.—Bearing plates of stone or metal shall be used to reduce the pressure on a bearing wall to the allowable working stress. [78—127.]

Sec. 163. Bracing of frames.—The iron or steel frame of any building shall be carried up true and plumb and be rigidly braced from the floor beams of every story. [78—128.]

Sec. 164. Painting of structural metal work.—All structural metal work shall be cleaned of all scale, dirt, and rust and be thoroughly coated with at least one coat of nonoxidizing red lead paint before leaving the shop or before erection. After erection, all places left for shop marks, all abrasions, and all rivet heads and bolts shall be painted, after which the entire frame shall be painted with at least one additional coat of a tint different from the first. [78—129.]

Sec. 165. Inclosure below water level.—All iron or steel used below the ground water level shall be inclosed by Portland-cement concrete to exclude air and water. [78—129.]

SKELETON FRAME.

Sec. 166. Proportioning.—In proportioning the iron or steel skeleton frame, each part shall be strong enough to carry the superimposed load without reliance upon the walls below, and all columns shall be continuous from foundation to top of building. Girders for the support of inclosing walls shall be placed at the level of the floors. Irregular or eccentric loading should be avoided as far as possible. [78—130.]

Sec. 167. Floor system.—The floor system of a skeleton frame shall be constructed with wrought iron or steel floor beams, so arranged as to spacing and length that the maximum load imposed shall cause a deflection not greater than one four-hundredth part of the span. The floor beams shall be tied together at intervals not exceeding eight times the depth of the beams by suitable ties or other approved method. [78—131.]

Sec. 168. Inclosing wall.—All iron or steel used as supporting members of the external construction of a building shall be protected against the effects of the weather, temperature, and fire by a covering of brick, terra-cotta, or other fireproof material completely enveloping said structural member. If of brick or terra-cotta, this covering shall not be less than twenty centimeters in thickness. If the whole column or frame be cast in concrete, all the exterior members shall be inclosed in concrete at least five centimeters in thickness. [78—132.]

ROOFS AND APPENDAGES.

Sec. 169. Combustible roofing.—The use of shingles or other forms of combustible roof covering, upon buildings erected or altered within the district of strong materials, is prohibited. [78—133.]

Sec. 170. Gravel roofs; other roofs allowed.—A roof the pitch of which is not more than one vertical to four horizontal, and the covering of which is made with a composition of felt and gravel, shall be considered incombustible under the provisions of this title, and may be used upon any building within the district of strong materials. In addition to the gravel roof in this section mentioned, tile, slate, or metal roofing of a composition of asbestos and other incombustible ingredients may be used. Trade roofing materials whose top surface is composed of gravel may be used when such material is approved by the engineer. [78—134; 96—1.]

Sec. 171. Construction of roofs.—In the case of roofs having a slope more than that specified in the last preceding section, timber construction may be used, but this timber work shall be covered with slate, glazed tile, or metal. [78—135.]

Sec. 172. Downspouts and gutters.—All buildings shall be provided with proper metallic downspouts and eave or cornice gutters

for conducting water from the roof to the ground, drainage conduit, or street in such a manner as to protect from damage the walls and foundations, and in no case shall water from roofs be allowed to flow over sidewalks. The downspouts shall be connected by drain pipe to the drainage conduit, and if no such conduit exists on the street such pipes may discharge under the sidewalk into the gutter, as directed by the engineer. [101—1.]

Sec. 173. Tanks.—Tanks containing more than two thousand liters of water, or other fluid, placed in any story or on or above the roof, or detached from any building shall be supported on beams of sufficient strength to safely carry the same. Such beams shall rest at both ends upon the main framework, or upon additional posts which shall transmit the load directly to the foundation. Every such tank shall be provided with a short pipe or outlet not less than ten centimeters in diameter, fitted with a suitable valve, so that in case of necessity the fluid contents of the tank may be readily discharged; the covers of tanks, if of wood, shall be protected by a metal covering. [78—137.]

Sec. 174. Ventilators and skylights.—All attics not otherwise provided with ventilating windows or apparatus shall be provided with one or more sheet-metal ventilators. Every fireproof roof shall have, in addition to the customary scuttle or bulkhead, a ventilating skylight or skylights, of a superficial area not less than one-fiftieth of the superficial area of the roof. [78—138.]

IRON, STEEL, AND METAL SHUTTERS, BLINDS, AND DOORS.

Sec. 175. Locks, and openings in certain buildings.—No person shall construct or maintain any building having all of its windows and doors on the first floor protected by iron, steel, or metal shutters, blinds, or doors, unless at least one of said shutters, blinds, or doors on each front of building shall be secured by a lock which can be opened from the outside only, and shall also be provided with an opening at least five centimeters by ten centimeters in size, through which the interior of the premises may be viewed from without; said locks and openings to be, if possible, on the fronts facing public streets. [58—1.]

Sec. 176. Locks, and openings in stores and shops.—No person shall construct or maintain any store or shop having all of its doors and windows which face the street on the first floor protected by iron, steel, or metal shutters, blinds, or doors unless at least one of said shutters, blinds, or doors shall be secured by the lock and provided with the opening described in the last preceding section. [58—2.]

Sec. 177. Penalty.—Any person violating any provision of the last two preceding sections shall, upon conviction, be punished by a fine of not more than fifty pesos for each offense. [58—4.]

CHAPTER 12.

PLUMBING AND HOUSE DRAINAGE.

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| <p>Sec.
 178. Engineer's duties.
 179. Inspection.
 180. Plans and specifications, examination of.
 181. Filing and approval of plans and specifications.
 182. Extensions, alterations, and repairs.
 183. Systems of receptacles permissible until new sewer system in operation.
 184. Plans and specifications gratuitous; approval.
 185. Permanent underground water-service pipes.
 186. Lead pipe, class and weights.
 187. Space between water-service pipes and sewers.
 188. Uncovering of pipes when.
 189. Location of house sewers.
 190. Inspection of house sewers.
 191. Laying of house sewers and drains.
 192. Condemnation of joints, pipes, fittings, and hubs.
 193. Connection with public sewer system.
 194. Separate sewers for buildings on same lot.
 195. Soil and drainage pipes, material and construction.
 196. Size of soil and waste pipes.
 197. Slope of house sewers and drains.
 198. Changing size of pipes.
 199. Prevention of injury to pipes and sewers.</p> | <p>Sec.
 200. Fittings for connections; tapping.
 201. Traps for plumbing fixtures.
 202. Vents.
 203. Traps allowable.
 204. Vent pipes run separately.
 205. Connections of vent pipes.
 206. Sizes of vent pipes.
 207. Weight of cast-iron pipe for drainage.
 208. Trade-marks, etc., on cast-iron pipe.
 209. Wrought-iron pipe, size and weight; joints and waste.
 210. Pipe fittings.
 211. Bends and branches.
 212. Recessed brass thimbles.
 213. Certain hubs, branches, etc., use prohibited.
 214. Pipe runs and offsets.
 215. Water-closets, where placed.
 216. Flushing, means of.
 217. Closets which are prohibited.
 218. Closet connections.
 219. Sinks, etc., of absorbent material, lining.
 220. Tanks or cisterns for flushing.
 221. Waste pipes from refrigerators.
 222. Rain-water leaders.
 223. Inspection and tests of plumbing.
 224. Certificates of approval.
 225. Condemnation of defective house sewers and drains.
 226. Deviations, verbal permission no justification.</p> |
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Sec. 178. Engineer's duties.—The engineer shall comply with and shall enforce the provisions of this chapter. [86—13.]

Sec. 179. Inspection.—He shall inspect, or cause to be inspected by his duly authorized assistants, the plumbing, drainage, cesspools, vaults, and ventilation of sewers of all houses in course of erection in the city of Manila, and require that the same conform to the provisions of this chapter.

He shall, at reasonable hours, upon his own motion, or on written application of an owner or occupant, or upon the written complaint of any reputable citizen, inspect or cause to be inspected the plumbing, drainage, and ventilation of sewers of any house

or premises in said city. When any premises shall have been so inspected and defects found in the material or plumbing, written notice of such defects shall be served upon the owner or agent of the premises, who shall make the repairs or changes directed within the time specified therein. Failure to comply with the order shall be a violation of this ordinance. [86—14.]

Sec. 180. Plans and specifications, examination of.—The engineer, or his duly authorized assistants, shall promptly examine all plans and specifications for proposed plumbing work and house drainage in the order in which they are received, and shall approve the same if in conformity with this chapter. [86—15.]

Sec. 181. Filing and approval of plans and specifications.—Before any portion of the water supply or drainage system of any new building, premises, or establishment shall be laid or constructed there shall be filed, in triplicate, with the engineer by the owner or his agent, architect, or builder, plans and specifications therefor showing the said system entire (including traps, supply, waste, and ventilation pipes) from its connection with the public sewer and water main to its termination inside the building line. No work shall be performed until said plans and specifications have been approved in writing by the engineer. No plumbing or drainage work shall be done upon any building except pursuant to the approved plans and specifications therefor, and no alterations shall be made in said plans and specifications without the written approval of the engineer. When approved, one copy of these plans and specifications shall be kept on file in the office of the engineer, one shall be delivered to the Bureau of Health, and one shall be turned over to the owner. [86—16.]

Sec. 182. Extensions, alterations, and repairs.—When it is desired to make any extensions, alterations, or repairs to fixtures or pipes in a building or premises where the plumbing system has already been constructed, written approval of the proposed work shall be obtained from the engineer: *Provided*, That the repairing of leaks and removal of stoppages shall be exempt from the application of this section. [86—18.]

Sec. 183. Systems of receptacles permissible until new sewer system in operation.—Until the new sewer system now under construction is in operation the different systems of receptacles for the collection and removal of filth in sanitary installations, to be permitted after the first day of January, nineteen hundred and seven, shall be as follows: First, movable vaults (pail system); second, dry vaults; third, filtering vaults with discharge; fourth, absorbent vaults with or without discharge; fifth, aseptic vaults, absorbent or with discharge, or both absorbent and with discharge. [86—18.]

Sec. 184. Plans and specifications gratuitous; approval.—The engineer shall furnish printed plans and specifications of all plans approved by the Director of Health, which plans and specifications shall be furnished gratuitously to any resident applying therefor.

Whenever the Director of Health shall decide that the installation of any system is not suitable, such system shall not be installed, and such system shall be installed as the Director of Health believes to be most suitable. [86—18.]

Sec. 185. Permanent underground water-service pipes.—No person shall lay or cause to be laid any permanent underground water-service pipe for the introduction of water into any building, lot, premises, or establishment of any other material than drawn lead pipe of a standard weight hereafter in this chapter specified, galvanized wrought iron, or cast-iron pipe, coated as prescribed for water mains. Cast-iron pipes shall be tested to the satisfaction of the superintendent of water supply before being covered.

The use of cast-iron service pipe less than five centimeters in diameter shall not be permitted.

No plain black uncoated steel or iron pipe shall be used for the water supply. [86—22.]

Sec. 186. Lead pipe, class and weights.¹—Lead pipe for water service shall be of the class known as “Strong” and of not less than the following weights per lineal foot:

Inside diameter of pipe.	Weight per foot.	Inside diameter of pipe.	Weight per foot.
$\frac{1}{2}$ inch -----	2 pounds.	$1\frac{1}{4}$ inches ----	4 pounds 12 ounces.
$\frac{3}{4}$ inch -----	2 pounds 8 ounces.	$1\frac{1}{2}$ inches ----	6 pounds 4 ounces.
$\frac{7}{8}$ inch -----	3 pounds.	$1\frac{3}{4}$ inches ----	6 pounds 12 ounces.
$\frac{1}{2}$ inch -----	4 pounds.	2 inches -----	7 pounds.

[86—23.]

Sec. 187. Space between water-service pipes and sewers.—No person shall lay or cause to be laid any water-service pipe parallel to a sewer with less than thirty-eight centimeters between them, measured horizontally, except on written permission of the engineer. [86—24.]

Sec. 188. Uncovering of pipes when.—Upon the order of the engineer any service pipe laid and covered without inspection and approval shall be promptly uncovered by the master plumber holding the permit for doing the work. [86—25.]

¹ Table in metric system:

Inside diameter of pipe.	Weight per meter.	Inside diameter of pipe.	Weight per meter.	Inside diameter of pipe.	Weight per meter.	Inside diameter of pipe.	Weight per meter.
<i>Meter.</i>	<i>Kilos.</i>	<i>Meter.</i>	<i>Kilos.</i>	<i>Meter.</i>	<i>Kilos.</i>	<i>Meter.</i>	<i>Kilos.</i>
0.013	2.97	0.032	7.07	0.017	4.46	0.045	10.04
.016	3.72	.038	9.30	.025	5.95	.051	10.42

[Table left in lineal measure in text because of practice of purchasing pipe by that standard.]

Sec. 189. Location of house sewers.—No house sewer shall be laid through or across any lot or premises other than the lot or premises it is intended to drain by said owner: *Provided*, That where the situation of the premises shall render it impracticable to comply with this requirement, permission in writing may be given by the engineer to deviate therefrom to such an extent as he may deem necessary. [86—26.]

Sec. 190. Inspection of house sewers.—Each house sewer and the connection thereof with the public sewer shall be inspected by the engineer or his technical assistants. [86—27.]

Sec. 191. Laying of house sewers and drains.—Each house sewer and house drain shall be laid true to line and grade, each section of pipe being properly bedded. The joints of cast-iron pipe shall be calked flush with oakum and lead; joints in wrought-iron pipes shall be painted; those of vitrified pipe shall be laid with mortar composed of one part hydraulic cement and two parts of clean river sand, upon a foundation of hydraulic cement concrete not less than eight centimeters in thickness and not less in width than the diameter of the pipe, composed of one part hydraulic cement and two parts of clean river sand and four parts of small broken stone, broken brick, or clean river gravel. When in the judgment of the engineer this foundation is considered unnecessary, written permission may be given to omit this concrete bed. No house sewer or drain shall be laid upon a grade less than one to fifty. Whenever practicable the grade shall be uniform throughout the entire length of the house sewer and drain. [86—28.]

Sec. 192. Condemnation of joints, pipes, fittings, and hubs.—No cement, wax, grease, paraffin, plaster, salamoniac, or other improper substances shall be used about any joint of the iron pipe in the plumbing system, and the presence of any such foreign substance about a joint shall be a sufficient cause for condemning such joint. Any defective cast-iron pipe, fitting, or hub may be condemned and marked by the engineer or his assistants; in such case, such fitting or pipe shall not be used again. [86—29.]

Sec. 193. Connection with public sewer system.—No person shall, without special permission from the engineer, connect or cause to be connected the drainage system of any building, lot, premises, or establishment with the public sewer system other than with that portion intended for use, as shown by the records in the office of the engineer; nor shall any connection be made below the springing line of the sewer. All excess material shall be removed from the inside of the sewer. [86—30.]

Sec. 194. Separate sewers for buildings on same lot.—Two or more dwellings built upon the same lot shall each have a separate sewer, and neither dwelling shall drain under or through the premises or dwelling of the other: *Provided*, That where, from the situation of the premises, it shall be impracticable to comply with the provisions of this section, permission in writing may be given

by the engineer to deviate therefrom to such extent as he may deem necessary: *And provided further*, That adjoining houses or accessories built upon the same lot are to be considered in every case as one building. [86—31.]

Sec. 195. Soil and drainage pipes, material and construction.—Every soil, drain, waste, and vent pipe shall be of cast or wrought iron, lead or brass, with screwed, leaded, and calked or wiped joints, and shall, when possible, be so located as to be accessible for inspection and repair. No rubber connections shall be used. No such pipe shall be built into any masonry wall. Pipes of this kind shall be kept above ground if practicable.

The house drain shall be of iron and shall extend to a distance of sixty centimeters outside the wall of any building. No vitrified or other earthenware pipe shall be laid inside of the house, nor shall vitrified pipe of any system pass under another house. No section of vitrified pipe or other earthenware pipe shall be used between two sections of iron pipe.

At the upper end of each horizontal run of pipe shall be placed a suitable brass clean-out of the same size as the pipe it serves.

No tin or galvanized sheet-iron pipe shall be used in the plumbing system. [86—32.]

Sec. 196. Size of soil and waste pipes.—The size of soil and waste pipes shall conform to the following table. Horizontal lines shall be increased as fixtures are added, but verticals throughout their entire length shall be of the diameter given for the number of fixtures which discharge through them:

Number of water-closets.	Size.
<i>Horizontal runs.</i>	
1 to 6 -----	10 centimeters.
7 to 12 -----	13 centimeters.
13 to 20 -----	15 centimeters.
<i>Vertical runs.</i>	
1 to 12 -----	10 centimeters.
13 to 25 -----	15 centimeters.

Each vertical soil line into which the water-closets of two or more floors discharge shall be extended full size through and above the roof or connected full size in an approved manner into a line thus extended. [86—33.]

Sec. 197. Slope of house sewers and drains.—Every house sewer and house drain and pipe shall have a slope or incline of at least one vertical to fifty horizontal, and vent pipes not vertical shall have a continuous slope.

No such line shall be run with unnecessary bends or offsets, and where changes of direction shall be unavoidable they shall be made

with bends of not more than forty-five degrees, if practicable. No air inlet line shall be laid without the best obtainable slope and so as to avoid unnecessary length of bends. [86—34.]

Sec. 198. Changing size of pipes.—When any soil, drain, or vent pipe shall be increased or reduced, a proper fitting shall be used. Tail-end pieces shall not be used for that purpose. [86—35.]

Sec. 199. Prevention of injury to pipes and sewers.—When a soil pipe or house sewer shall pass under any masonry wall, there shall be provided a relieving arch to prevent injury from settling of the wall, or there shall be built into the wall an iron pipe of sufficient diameter to contain the pipe proposed to be run with a clearance of at least three centimeters on all sides. [86—36.]

Sec. 200. Fittings for connections; tapping.—Approved fittings of iron or brass shall be used for all connections with drain, soil, waste, vent, and supply lines, and no iron drain, soil, waste, or vent line shall be tapped. [86—37.]

Sec. 201. Traps for plumbing fixtures.—Every plumbing fixture must be separately trapped by a vented water-sealed trap placed as close to the fixture outlet as possible, but in no case at a distance greater than sixty centimeters from the fixture outlet, excepting that in the case of the upper or only fixture on a soil pipe, extended full size through the roof, said fixture having its center within sixty centimeters of the center of the stack, a vent shall not be required.

A single trap may be used for a two or three part wash tray or wash basin.

Every hotel and restaurant shall have a grease trap attached to the waste pipe of the kitchen sink within ninety centimeters of the sink outlet. Said grease trap shall have an air-tight cover, easily removable to permit the cleaning of the trap. [86—38.]

Sec. 202. Vents.—Every vent shall be taken from the crown of the fixture, except for water-closet traps, and each such trap shall be vented from the branch line below the trap and above all small waste inlets, with a vent so connected as to prevent obstruction. [86—39.]

Sec. 203. Traps allowable.—No lead trap less than thirty-eight millimeters shall be used, except on lavatories and urinals, where a thirty-two millimeter trap may be permitted.

Every trap shall have a water seal of at least thirty-two millimeters and brass thumbscrew cleanout at the bottom of seal.

The weight of a thirty-eight millimeter lead trap shall not be less than four kilograms per linear meter, and other sizes shall be of proper weight.

Lead waste pipe shall be of a weight heavier than that specified for the trap it drains. [86—40.]

Sec. 204. Vent pipes run separately.—Every vent pipe shall be run separately above its fixtures, in order to prevent its use as a waste. [86—41.]

Sec. 205. Connections of vent pipes.—Each vent pipe shall be connected above the highest fixture into the adjacent soil pipe if distant therefrom not more than one meter eighty centimeters. If more than this distance from the soil pipe it may be independently extended above the roof.

A vent line shall be, whenever practicable, a direct extension of a soil or waste line.

Main vent risers having a length of four meters fifty centimeters or more shall be connected at the foot with the main waste or soil line below the lowest vent outlet and with no greater angle of connection of run than forty-five degrees. [86—42.]

Sec. 206. Sizes of vent pipes.—The sizes of main and branch vent pipes shall be increased as fixtures are added, as follows:

Diameter.	Maximum length.	Number and size of traps vented.
<i>Meter.</i>	<i>Meters.</i>	
0.038	7.62	1 or 2 traps, 32 to 51 millimeters.
0.051	15.24	1 to 5 traps, 76 to 102 millimeters.
0.063	22.86	6 to 9 traps, 76 to 102 millimeters.
0.076	30.48	10 to 15 traps, 76 to 102 millimeters.
0.102	47.72	16 to 25 traps, 76 to 102 millimeters.
0.127	60.95	26 to 40 traps, 76 to 102 millimeters.

No waste or drain pipe shall be of less size than the fixture trap, except that a lead trap one and one-half inches in diameter may have a waste pipe one and one-fourth inches in diameter. [86—43, 44.]

Sec. 207. Weight¹ of cast-iron pipe for drainage.—In all build-

¹ Tables in metric system:

Buildings over three stories in height:

Inside diameter.	Weight per lineal meter.	Inside diameter.	Weight per lineal meter.	Inside diameter.	Weight per lineal meter.
<i>Meter.</i>	<i>Kilos.</i>	<i>Meter.</i>	<i>Kilos.</i>	<i>Meter.</i>	<i>Kilos.</i>
0.051	8.18	0.127	25.30	0.203	49.86
.076	14.14	.152	29.76	.254	66.96
.102	19.34	.178	40.18	.305	80.36

Buildings less than three stories in height:

Inside diameter.	Weight per lineal meter.	Inside diameter.	Weight per lineal meter.
<i>Meter.</i>	<i>Kilos.</i>	<i>Meter.</i>	<i>Kilos.</i>
0.051	3.72	0.178	22.32
.076	6.70	.203	26.04
.102	9.67	.254	43.15
.127	12.65	.305	59.52
.152	15.62	.381	66.96

[Tables left in lineal measure in text because of practice of purchasing pipe by that standard.]

ings over three stories in height the weight of all cast-iron pipe used for drainage on horizontal runs shall not be less than—

Inside diameter.	Weight per lineal foot.	Inside diameter.	Weight per lineal foot.	Inside diameter.	Weight per lineal foot.
<i>Inches.</i>	<i>Pounds.</i>	<i>Inches.</i>	<i>Pounds.</i>	<i>Inches.</i>	<i>Pounds.</i>
2	5½	5	17	8	33½
3	9½	6	20	10	45
4	13	7	27	12	54

In buildings three stories or less in height the weight of all cast-iron pipe used shall be standard or heavier, and all cast-iron pipe used in stacks and vertical runs shall be standard and the weight not less than—

Inside diameter.	Weight per lineal foot.	Inside diameter.	Weight per lineal foot.
<i>Inches.</i>	<i>Pounds.</i>	<i>Inches.</i>	<i>Pounds.</i>
2	2½	7	15
3	4½	8	17½
4	6½	10	29
5	8½	12	40
6	10½	15	45

[86—45.]

Sec. 208. Trade-marks, etc., on cast-iron pipe.—All cast-iron pipe used shall have cast upon it, directly back of the hub of each section, the name, initial, or trade-mark of the manufacturer. [86—46.]

Sec. 209. Wrought-iron pipe, size and weight;¹ joints and waste.—All wrought-iron soil, drain, or waste pipe used in a building shall be standard iron pipes not less than thirty-eight millimeters in diameter and the weight not less than—

Diameter.	Weight per lineal foot.	Diameter.	Weight per lineal foot.	Diameter.	Weight per lineal foot.
<i>Inches.</i>	<i>Pounds.</i>	<i>Inches.</i>	<i>Pounds.</i>	<i>Inches.</i>	<i>Pounds.</i>
1½	2. 68	3	7. 54	4½	12. 34
2	3. 61	3½	9. 00	5	14. 50
2½	5. 74	4	10. 66	6	18. 76

¹ Table in metric system:

Diameter.	Weight per lineal meter.	Diameter.	Weight per lineal meter.	Diameter.	Weight per lineal meter.
<i>Meter.</i>	<i>Kilos.</i>	<i>Meter.</i>	<i>Kilos.</i>	<i>Meter.</i>	<i>Kilos.</i>
0. 038	3. 99	0. 076	11. 22	0. 114	18. 36
. 051	5. 37	. 089	13. 39	. 127	21. 58
. 063	8. 54	. 102	15. 86	. 152	27. 92

[Table left in lineal measure in text because of practice of purchasing pipe by that standard.]

All joints in said pipe shall be screwed joints, carefully made up, and the burr formed in each pipe due to cutting shall be completely removed by reaming or filing.

A thirty-eight millimeter wrought-iron waste shall be limited to the drainage of a single fixture and shall not exceed six meters in length. No portion of the run shall be at a less slope than forty-five degrees with all angles made with one-eighth bends. [86—47.]

Sec. 210. Pipe fittings.—All fittings used in connection with iron pipes shall correspond with them in weight and quality. Fittings on wrought-iron soil and waste lines shall be extra heavy cast-iron recessed and threaded galvanized drainage fittings, tapped with a slope of one vertical to fifty horizontal for horizontal runs. [86—48.]

Sec. 211. Bends and branches.—All changes of direction in soil and house sewer pipes shall be made by means of suitable bends, and all connections by means of “Y” branches and one-eighth or one-sixteenth bends. [86—49.]

Sec. 212. Recessed brass thimbles.—All connections of lead pipe with iron branches shall be made by means of recessed brass thimbles, the full size of the iron pipe, calked into the iron with lead and wiped joints, or by what is known as the Raymond ferrule. [86—49.]

Sec. 213. Certain hubs, branches, etc., use prohibited.—No double hub, double “Y,” or double “T Y” branches shall be used on horizontal runs, nor shall double “T Y” branches be used on verticals except by written permission of the engineer. The use of bands, saddles, and sleeves is prohibited. [86—49.]

Sec. 214. Pipe runs and offsets.—All pipe runs shall be made as direct as possible, and offsets in vertical soil and waste lines shall not be constructed without the written permission of the engineer. [86—49.]

Sec. 215. Water-closets, where placed.—No water-closet shall be placed in any sleeping room, kitchen, or any room having direct communication with the kitchen, or in any room, apartment, or vault not in direct communication with the external air or a vertical air shaft by means of a window or air space having an area of at least one-fourth of a square meter for the admission of light and fresh air. [86—50.]

Sec. 216. Flushing, means of.—Means shall be provided for thoroughly flushing all soil pipes, drain pipes, water-closets, and urinals. A suitable flush tank of adequate size, provided with a flush pipe not less than thirty-two millimeters in diameter, shall be supplied for every interior water-closet, and such tank shall not be used for any other purpose. Public urinals shall have an automatic or a spray flush. [86—51.]

Sec. 217. Closets which are prohibited.—Pan, valve, or off-set water-closets shall not be installed, nor shall such closets now in use be maintained if complaint, which upon investigation shall prove to

be well founded, shall be made by any occupant of the building in which the closet is located. When a bowl or trap or other type of closet aforementioned, or of a straight or oval hopper closet within a building shall be defective, such portion shall not be replaced, but an approved closet shall be substituted for the old fixture.

A straight or oval hopper closet shall not be installed within a building except upon the approval of the engineer.

A straight hopper, if in an insanitary condition, upon complaint may be condemned by the engineer, and shall then be replaced by a short hopper closet of approved type, if so ordered.

Whenever a water-closet of prohibited type shall be replaced the adjacent small-fixture wastes and vents shall be reconstructed so as to bring them into reasonable conformity to these regulations, and the soil stack shall be extended above the roof level. [86—51.]

Sec. 218. Closet connections.—Every water-closet within a building shall have a lead or brass connection. The weight of a ten-centimeter bend for a closet connection shall not be less than twelve kilograms per linear meter. [86—52.]

Sec. 219. Sinks, etc., of absorbent material, lining.—Wash trays, sinks, and slop hoppers of wood or other absorbent material are prohibited inside of any building unless metal lined, the lining to be water-tight. [86—53.]

Sec. 220. Tanks or cisterns for flushing.—When any water supply is not ample for thoroughly flushing water-closets, urinals, and other fixtures a tank or cistern into which water may flow at night, or into which it may be pumped, shall be provided when ordered by the engineer. [86—54.]

Sec. 221. Waste pipes from refrigerators.—No waste pipe from a refrigerator or other receptacle in which provisions are stored shall be connected with any drain, soil, or other waste pipes; such waste pipes shall be so arranged as to admit of frequent flushing and shall be as short as possible. [86—55.]

Sec. 222. Rain-water leaders.—Rain-water leaders, when placed inside of a building, must be of cast iron, properly secured and calked with oakum and lead, or of wrought iron, secured as if they were to be used as soil or waste pipes.

No rain-water leaders, yard drainage, or any drainage containing rain water may enter a house plumbing system. [86—55.]

Sec. 223. Inspection and tests of plumbing.—When plumbing in any premises shall be ready for inspection, the master plumber in charge of the work shall notify the inspector of plumbing. After the work is completed it shall be reported for final inspection and test.

All soil, waste, and vent pipes for new buildings shall have the openings stopped and a test of not less than three pounds air pressure to the square inch upon a mercury gauge applied by the plumber in the presence of the engineer or his assistants and main-

tained for such a length of time as to satisfy the latter that the work is sound and tight.

There may be substituted for testing horizontal lines or drains a water-pressure test under a head of at least one and one-half meters in lieu of the air-pressure test above specified.

The final test may be made in the presence of the engineer or his assistants by means of an improved peppermint test, if desired.

Repairs and extensions to any part of the drainage system shall also be reported for inspection, excepting minor repairs to a lead waste, or where no portion of the waste, trap, or vent shall be removed or disturbed, or where no resetting or replacement of fixtures shall be necessary. [86—56.]

Sec. 224. Certificates of approval.—A certificate of approval shall be issued by the engineer to the master plumber upon the satisfactory completion of any plumbing work. The plumbing system shall not be used before the issuance of the final certificates for the plumbing thereon. [86—57.]

Sec. 225. Condemnation of defective house sewers and drains.—Whenever a house sewer or drain shall become obstructed or broken or defective, so that sewage or drain water escapes therefrom into the surrounding soil or into adjacent premises, the engineer shall condemn such defective part and order its repair or replacement. [86—58.]

Sec. 226. Deviations, verbal permission no justification.—Under no consideration shall verbal permission be considered justification for a deviation from the provisions of this chapter. [86—59.]

CHAPTER 13.

LIGHT AND VENTILATION.

Sec.	Sec.
227. Percentage of occupancy of site.	232. Air intakes.
228. Measurement of occupancy.	233. Drainage.
229. Measurement and size of courts, etc.	234. Height of rooms.
230. Vent shafts for workshops and factories.	235. Windows.
231. Ventilation of houses for hu- man habitation.	236. Area of windows.
	237. "Cubicle or room."
	238. Mezzanine floors.
	239. Apportionment of air space.

Sec. 227. Percentage of occupancy of site.—Every building shall be so located upon its lot as to secure proper natural light and ventilation for the occupants thereof, and for this purpose, as well as for better fire protection, no building to be erected shall occupy more than ninety-five per centum of a corner lot, nor more than ninety per centum of any inside lot. Buildings for domestic use shall occupy not more than ninety per centum of a corner lot nor more than seventy per centum of an inside lot. [78—139.]

Sec. 228. Measurement of occupancy.—The measurement of occupancy of lots shall be taken at the ground level and shall be exclusive of courts, yards, and light wells. [78—140.]

Sec. 229. Measurement and size of courts, etc.—Courtyards and light wells shall be measured in the clear of all projections into them with the exception of roof leaders, wall coping, sills, or fire escapes not exceeding one and twenty one-hundredths meters in width. The minimum size of a court for a one-story building shall be six square meters; for a two-story building, nine square meters; for a three-story building, twelve square meters; and for a four-story building, twenty square meters. [78—141.]

Sec. 230. Vent shafts for workshops and factories.—When buildings of large undivided floor spaces are used as workshops or factories in whole or in part, or in combination with stores, the dead ends of interior and corner rooms, or centers of through rooms, shall be provided with vent shafts, which shall be constructed of incombustible materials. Vent shafts may be inclosed on four sides, but shall be open at the top, and when inclosed on four sides shall be provided with air intakes. [78—143.]

Sec. 231. Ventilation of houses for human habitation.—Every building or structure of strong materials erected and intended for human habitation, if provided with a board floor, shall be so constructed as to leave a clear space of seventy-five centimeters between the under face of the floor joists and the surface of the ground or the paved surface. If the building be constructed entirely with masonry walls, the space between the floor joists and the ground shall be vented by means of air vents or air bricks, protected by suitable gratings so as to prevent the passage of rodents. [89—2.]

Sec. 232. Air intakes.—All inner and interior courts and air or vent shafts over nine meters in height shall be provided with one or more air intakes at bottom, of an area not less than three per centum of the court area leading directly to the street, yard, or court. [78—144.]

Sec. 233. Drainage.—All areas, courts, and shafts shall be at least fifteen centimeters below their adjoining floor levels and shall be paved or concreted, and provided with court or yard drains connected with the main drains of the building. [78—145.]

Sec. 234. Height of rooms.—The height of rooms shall never be less than three meters. [78—146.]

Sec. 235. Windows.—Every story of a building intended for human habitation which may be erected, shall be provided with at least one window, opening directly into the external air. The total area of the window or windows provided shall be at least one-tenth of the floor area for each story. Every story of such building shall be provided also with a window of at least one square meter area

opening into the space in the rear of such building, such area being in addition to the window area required in this section. [78—147.]

Sec. 236. Area of windows.—No cubicle or room shall be constructed or maintained in a building intended for human habitation unless such cubicle or room is provided with a window or windows or a skylight having a total area of not less than one-tenth of the floor area of such cubicle or room and opening directly into the external air. [89—3.]

Sec. 237. "Cubicle or room."—The words "cubicle or room" shall be construed to mean and include any space for occupancy or use inclosed on all sides by walls or partitions of more than two meters in height. No cubicle shall have a floor area of less than six square meters. There shall be a space between the top of every portion of the partition walls of any cubicle and the ceiling, under side of the upper floor supports or roof, of not less than one and one-half meters, which space, however, may be inclosed by wire netting, latticework, or carved wood, so arranged as to leave not less than two-thirds clear opening and, as far as practicable, evenly distributed. [89—3.]

Sec. 238. Mezzanine floors.—It shall be unlawful to construct any mezzanine floor or to maintain any mezzanine floor already constructed, except upon the written permission of the engineer and subject to the regulations of the Director of Health. Such floor shall be limited in area to one-half of the floor area in the room in which constructed, shall have a clear space of not less than two and one-half meters below and one and one-half meters above, and shall be used for storage purposes only. Such floor shall not be inclosed, except by lattice, netting, or other open work of wood or iron. The open space inclosed in such lattice or netting shall be evenly distributed and comprise at least two-thirds of the entire area. The space above such mezzanine floor shall not be included in the cubic capacity of the room, if the room be used for human habitation. [89—4.]

Sec. 239. Apportionment of air space.—In determining the size of rooms there shall be provided:

For schoolrooms for children, five cubic meters of air space for each person;

For schoolrooms for adults, seven cubic meters of air space for each person;

For workshops, factories, and offices, ten cubic meters of air space for each day worker;

For workshops, factories, and offices, fourteen cubic meters of air space for each night worker.

No living room shall contain less than ten square meters of floor area and no sleeping room shall contain less than six square meters of floor area. [89—5.]

CHAPTER 14.

UNSAFE STRUCTURES.

Sec.	Sec.
240. Deterioration and defects.	241. Condemnation proceedings.

Sec. 240. Deterioration and defects.—All buildings or parts of buildings which show defects in any essential parts shall be repaired and put in safe condition at once, or if the deterioration be greater than fifty per centum of the value of the building, as estimated by the engineer, they shall be removed. [78—83.]

Sec. 241. Condemnation proceedings.—Whenever in the judgment of the engineer any building or portion of building has been damaged by any cause to such an extent as to be dangerous for use, he may condemn the same and shall immediately notify the owner and the Municipal Board of his action. If the owner or his agent be not willing to abide by this order of condemnation, he may make formal objection within the period of seven days following such notification. The Municipal Board shall hear the owner or his agent and his experts and also the engineer, deciding the case on the evidence presented. If the Municipal Board confirm the action of the engineer, the owner or his agent shall immediately proceed to remove the building within fifteen days from the date on which he was notified of such final decision. If the owner or his agent do not comply with the decision of the Municipal Board the building shall be removed at his expense and the city will proceed to recover against him for the amount expended. [78—84.]

CHAPTER 15.

ELEVATORS.

Sec.	Sec.
242. Permits; contents of application.	245. Defects, inspection and certification.
243. Notice to engineer, inspection and repairs.	246. Certificate of inspection.
244. Examinations; use of defective elevators prohibited.	247. Plate indicating load permissible.

Sec. 242. Permits; contents of application.—It shall be unlawful for any person, company, or corporation to construct, erect, or place, or cause to be constructed, erected, or placed, in any building or structure, any elevator for passenger or freight service without having first obtained a permit from the engineer. The application for said permit shall have attached complete plans and specifications clearly showing the type and make of machine, the motive power to be employed, and the size of all ropes, sheaves, drums, and supporting beams. The speed, travel, and capacity of car, type of

safety appliances, dimensions of pressure tank and pressure carried thereon, and if the motive power be electric current, the number of volts and amperes of the electric current used, shall be stated in the application. No elevator shall have less than two ropes of approved diameter carrying the weight of each car and its load, or each counterbalance. [78—165.]

Sec. 243. Notice to engineer, inspection and repairs.—When an elevator is placed in a building the owner or his agent shall immediately notify the engineer in writing, and such elevator shall not be placed in operation until it shall have been duly inspected. In like manner notice of any repairs or alterations intended to be made shall be delivered to the engineer by the person, company, or corporation employed to make such repairs or alterations; however, nothing in this section shall be construed to prevent the owner from making ordinary repairs for maintenance or to prevent him from making emergency repairs in advance of such notice. [78—166.]

Sec. 244. Examinations; use of defective elevators prohibited.—Every owner shall require the person in charge of his elevator to carefully examine the same and its appliances once in each twenty-four hours, and upon the discovery of any defects or impairments which might lead to injuries to life or property, the elevator shall be at once shut down and the engineer notified. The use of any such defective elevator shall be prohibited until the necessary repairs shall have been completed and an inspection made by the engineer. [78—167.]

Sec. 245. Defects, inspection and certification.—Should any defect be found in any part of an elevator tending to impair its safety or to injure life or property, the engineer shall immediately inform the person in charge of said elevator of the dangerous condition of the same, and shall cause notice in writing to be served upon the owner or other person having control or management of said elevator, which notice shall contain a brief statement of the necessary repairs. Until the completion of said repairs and the inspection and certification of the engineer, the elevator shall not be used. [78—170.]

Sec. 246. Certificate of inspection.—If, upon completion of an inspection of an original installation, or after repairs, the elevator be judged safe and fit for use, a certificate of inspection signed by the engineer shall be delivered to the owner. Such certificate shall be placed under glass and framed and shall be hung in a conspicuous place in the car for which the certificate was issued. [78—168.]

Sec. 247. Plate indicating load permissible.—The owner or other person having charge or control of any elevator installed in the city of Manila shall cause to be fastened in a conspicuous place in said elevator a suitable metal plate, with raised letters, indicating the weight which the elevator may carry. Every elevator shall be tested with a load twenty-five per centum greater than the allowable maximum load. [78—169.]

TITLE 4.

CITY WATER SUPPLY.¹

CHAPTER 16.

Sec.	Sec.
248. Consumers' duties.	256. Concessioners' responsibility for charges.
249. Meters.	257. Charges.
250. Applications for installation of water service.	258. Fire hydrants, charges.
251. Connections.	259. Bills quarterly, default in payment.
252. Concessioners' expenses and duties.	260. Restrictions; shutting off of water.
253. Concessions, restrictions as to.	261. Post hydrants.
254. Examinations of meters, etc.	
255. Reading of meters.	

Sec. 248. Consumers' duties.—Every consumer of the water of the Carriedo water supply of the city of Manila shall be governed by, and subject to, the rules and regulations provided in this title.² [46—1.]

Sec. 249. Meters.—Every connection to the city water supply shall be provided with a water meter of a pattern approved by the department of engineering and public works. Every meter so used shall be sealed by the office of water supply.

All meters connected with the Carriedo water system shall be under the control of the office of water supply. All repairs thereon shall be made by the city and the cost thereof borne by the concessioner and collected in the same manner as are other charges under this title. No such charge shall be made except on written notice to the concessioner from the superintendent of the water supply. In case a meter, from any cause, becomes damaged beyond repair it shall be replaced at the expense of the concessioner. [46—1.]

Sec. 250. Applications for installation of water service.—Permission to tap the city water supply and to install water service for any purpose must be obtained by formal application in writing

¹ "Carriedo fund."—Nature and use of, construed: 1 Op. Atty.-Gen., 319, 450. See also *Aguado v. City of Manila*, 9 Phil., 513.

² For regulations by Bureau of Health concerning water see chapter 77 hereof.

to the office of water supply. Such permission shall be granted to the property owner only. He or his agent shall sign the application, which shall state distinctly the location of the property and its character, as dwelling, hotel, office, and so forth. [46—1.]

Sec. 251. Connections.¹—Concessions shall not be transferable and shall extend to one house or property only, except where several houses are owned by the same person, who may desire to have all his property supplied through a single connection. The following sizes of connections shall be the maximum allowable:

	Inches.
Private houses	1
Theaters, small hotels, and small manufacturing plants.....	1½
Large hotels, large manufacturing plants, boarding schools, etc.....	2

These sizes shall not be deviated from except in special cases when it shall be shown that the circumstances warrant it. A meter of a diameter equal to that of the connection only will be permitted. [46—1.]

Sec. 252. Concessioners' expenses and duties.—The tapping of the city main, the laying of pipes and cocks to and including the meter and its connections, and any repairs to the same, shall be performed by the city at the expense of the concessioner. The pipes and connections beyond the meter shall be placed by the concessioner under the inspection of the office of water supply. [46—1.]

Sec. 253. Concessions, restrictions as to.—No concession shall be permitted for a period of less than one year. If the service shall be discontinued at the end of one year the cost of closing the stop and other work shall be borne by the concessioner.

No concession shall be granted for a daily consumption of less than five hundred liters. Even though this volume of water shall not be drawn from the connection, a charge for this minimum will be made regardless of the meter reading. [46—1.]

Sec. 254. Examinations of meters, etc.—The concessioner shall permit the authorized inspectors of the office of water supply to enter his property for the purpose of examining the meter, piping, and connections, at all reasonable times. Interference with or refusal to permit this inspection shall justify stoppage of the water service. [46—1.]

Sec. 255. Reading of meters.—A monthly reading of the meter shall be made by the authorized meter inspector. Such reading shall be entered upon a card covering a period of six months, which card shall be tacked in a convenient and safe place, as near the meter as possible. The meter inspector shall enter his signature opposite every reading made by him, and every card shall bear the

¹ Table in metric system:

	Meter.
Private houses	0.025
Theaters, small hotels, and small manufacturing plants.....	.038
Large hotels, large manufacturing plants, boarding schools, etc.....	.051

signature of the superintendent of water supply and sewers. If the inspector believes that any defect exists in the meter, or that the concessioner has tampered with the same, he shall report at once to the superintendent of water supply and sewers, who shall investigate the matter promptly. If it be shown upon examination that the error is due to inaccuracy in the meter, charge will be made at the average rate of the three previous months, or such portion of three months as the service shall have been in operation. [79—1.]

Sec. 256. Concessioners' responsibility for charges.—The concessioner shall be held responsible for the water charges, and the responsibility shall not cease until notice in writing that the discontinuance of the service is desired, shall have been delivered to the office of water supply. [46—1.]

Sec. 257. Charges.—The charge for water through connections shall be at the following rates per cubic meter: For the first three hundred cubic meters, monthly, five centavos per cubic meter; for any quantity above three hundred cubic meters, monthly, four centavos per cubic meter.

Water supplied to tanks, receptacles, including launches, water boats, or steamers, when taken from any hydrant or faucet in a public highway or street, or through hose or pipe crossing either above or below such street or highway from any private hydrant or faucet to the receptacles above mentioned, shall be charged for at the rate of ten centavos per cubic meter. The work incident to this supply shall be done under the supervision of the office of water supply. [46—1; resolution of Municipal Board, Oct. 29, 1907.]

Sec. 258. Fire hydrants, charges.—Upon written application concessioners may have installed upon their premises fire hydrants, which hydrants shall be sealed by the office of water supply and shall be used only in case of fire. A monthly charge of one peso for each hydrant shall be charged for such extra service, which charge shall be payable at the end of each quarter. [46—1.]

Sec. 259. Bills quarterly, default in payment.—Bills for the use of water shall be rendered quarterly, and shall be payable at the office of water supply between the tenth and the last day of the month next following the quarter for which the bills have been made. Should there be any default of payment of the water charges within such time, the water service shall be shut off and a charge of two pesos shall be made for the shutting off of the same. [46—1.]

Sec. 260. Restrictions; shutting off of water.—No restrictions as to consumption are intended except that wastage shall not be allowed. The office of water supply reserves the right to shut off the supply when the public interests require such action. This measure shall be resorted to only under strict necessity and no action for damages shall lie against the city for such stoppage. In case of complete interruption of the service for more than twenty-

four hours, the charge provided for in the second paragraph of section two hundred and fifty-three hereof shall not be made during such interruption. But no reduction shall be made for the stoppage of the service for twenty-four hours or less. In all cases where practicable notice shall be given of contemplated stoppage of water, stating the time of closing of the valve and the probable duration of the stoppage. [46—1.]

Sec. 261. Post hydrants.—(a) **Repair and inspection:** The superintendent of water supply shall be responsible for the condition and repair of post hydrants, but the inspection of the same shall devolve upon the chief of the fire department.

(b) **Purposes:** Post hydrants within the city of Manila shall be for fire purposes solely, except such as shall be designated by the superintendent of water supply for use for sprinkling purposes.

(c) **Sidewalks unobstructed:** The sidewalks within a radius of one meter from post hydrants shall be kept clear and unobstructed at all times and the street in front of the hydrant extending for five meters in both directions from hydrants shall be kept clear of all building or street materials. [61—1.]

TITLE 5.

DISPOSAL OF THE DEAD.¹

Chap.

17. Burial, transfer, and exhumation.

Chap.

18. The Cementerio del Norte.

CHAPTER 17.

BURIAL, TRANSFER, AND EXHUMATION.

Sec.

- 262. Death certificates; suspicion of foul play.
- 263. Contents of death certificates; autopsies.
- 264. Deaths from unknown causes, or under suspicious circumstances.
- 265. Burial permits.
- 266. Presentation of burial permits.
- 267. Burial permits, when null and void.
- 268. Time allowed for burial.
- 269. Conveyance of the dead, permit for.
- 270. Embalming, duty of undertaker.
- 271. Containers for the removal of the dead.
- 272. Deaths from dangerous communicable diseases.
- 273. Construction and maintenance of undertaking establishments.

Sec.

- 274. Inspection of places for disposition of the dead.
- 275. Unlawful burials.
- 276. Funerals.
- 277. Persons charged with duties of burial.
- 278. Failure to bury.
- 279. Custody of dead bodies.
- 280. Burial at sea.
- 281. Location of cemeteries.
- 282. Proximity to dwellings; permits.
- 283. Sanitary maintenance.
- 284. Depth of graves.
- 285. Unsealed overground tombs.
- 286. Disinterments.
- 287. Rules for disinterments.
- 288. Fees payable to the Bureau of Health.
- 289. Transportation of bodies by military authorities.

Sec. 262. Death certificates; suspicion of foul play.—Whenever any person shall die in the city of Manila a certificate of death shall be furnished to the Bureau of Health by the physician in attendance on such deceased person, but if there has been no physician in attendance it shall be the duty of the municipal physician of the district in which such person shall have died to furnish such cer-

¹ **Application of title.**—Act No. 1458, sec. 1, reads: "This Act shall apply and be effective throughout the Philippine Islands, except in the city of Manila, which shall be governed by the provisions of the Sanitary Code of Manila, provided for in Act Numbered Eleven hundred and fifty." The above title, especially chapter 17 thereof, contains therefore practically all the laws and regulations concerning the disposal of the dead which apply to the city of Manila.

tificate if called upon to do so, or any registered physician may furnish the required certificate of death. If the cause of death has not been satisfactorily explained, or if there is a suspicion of an unlawful act or foul play, it shall be the duty of the prosecuting attorney of the city of Manila to issue or approve said certificate of death. [86—191.]

Sec. 263. Contents of death certificates; autopsies.—Every certificate of death shall be written in ink on a form prescribed by the Director of Health, and shall be forwarded to the office of the Bureau of Health within twenty-four hours after such death, except in case of death from cholera, smallpox, plague, diphtheria (including membranous croup); ship or typhus fever, typhoid, spotted, relapsing, scarlet, or yellow fever; measles, glanders, leprosy, or anthrax, in which event notification of such death shall be sent within one hour after knowledge of death to the office of the Bureau of Health by the person issuing the death certificate, and the required certificate of death shall be sent within twelve hours thereafter. In case immediate burial is necessary or the exposure of the body may be dangerous to health, the physician or official issuing the certificate shall notify the Director of Health to that effect. No person in the city of Manila shall knowingly make, sign, or deliver any certificate of death in this chapter provided for not in accordance with the facts. Whenever a sanitary medical inspector suspects that a person has died of a disease different from that certified to by the attending physician, and believes an autopsy necessary, notice of the time and place where such autopsy is to be held shall be sent to the attending physician.

To make effective the preceding paragraph, every physician shall have the right to witness and know of all the investigations made upon a corpse, where the diagnosis has been doubted. [86—192.]

Sec. 264. Deaths from unknown causes or under suspicious circumstances.—Whenever it shall come to the knowledge of any person or persons that any human being has died from causes unknown or under suspicious circumstances it shall be the duty of such person or persons to notify immediately the officer in charge of the nearest police station or the prosecuting attorney of the city of Manila, and such officer shall immediately notify the Bureau of Health. [86—193.]

Sec. 265. Burial permits.¹—It shall be unlawful to bury, inter, or remove for interment or burial elsewhere, or to cremate or dispose of any human body or remains, until a permit therefor has been issued by the Director of Health or his agent. [86—194.]

¹ **Burial permit a public document.**—A burial permit issued by the Bureau of Health is a public document within the meaning of that term as used in art. 301, Penal Code: *U. S. v. Mateo*, 5 Phil., 462, and cases there cited.

Burial permits, police zone.—Act No. 1457 does not authorize Bureau of Health to issue permits for interment within police zone surrounding city: *Op. Atty.-Gen.*, 4 Off. Gaz., 367.

Sec. 266. Presentation of burial permits.—No superintendent or other person having charge of a cemetery, burying ground, or crematory shall assist in, or assent to, or allow any interment, disinterment, or cremation to be made until a permit from the Director of Health authorizing the same has been presented to him. [86—195.]

Sec. 267. Burial permits, when null and void.—Any permit for burial, interment, disinterment, or cremation shall be null and void after a period of forty-eight hours has elapsed from the time of issue of said permit. [86—196.]

Sec. 268. Time allowed for burial.—Except when required for the purpose of legal investigation or when specially authorized by the Director of Health, no dead body shall remain unburied for a greater time than forty-eight hours after death.

Whenever it has been certified or is known that any person died with a dangerous communicable disease the body of such person shall be buried within twelve hours after death unless a longer period is authorized by the Director of Health. [86—196.]

Sec. 269. Conveyance of the dead, permit for.—No dead body or part of a dead body of any human being shall be carried or conveyed from, into, or through the city of Manila by any person or by means of any boat, vessel, car, hearse, litter, or other means of conveyance, or by any public or private vehicle without a permit therefor issued by the Director of Health: *Provided*, That nothing in this section shall be construed to prohibit the immediate conveyance of the body of any person who has died from other than a dangerous communicable disease, by a registered undertaker or embalmer, from the place of death to an undertaker's establishment for the purpose of preparing the body for burial or shipment. [86—197.]

Sec. 270. Embalming, duty of undertaker.—No undertaker or other person shall embalm any dead body without a death certificate, and said embalmer must ascertain, before such embalming takes place, that there are no facts attending the illness and death of the person which would make an autopsy necessary. [86—198.]

Sec. 271. Containers for removal of the dead.—No person shall remove into, or out of, or through the city of Manila the body or remains of any human being unless such body, or remains, is inclosed in a coffin of a type approved by the Director of Health. [86—199.]

Sec. 272. Deaths from dangerous communicable diseases.—The body of any person who has died of any dangerous communicable disease in the city of Manila shall be removed at once to the public morgue, and said body shall not be removed therefrom until it and its container has been disinfected in such a manner as shall be prescribed by the Director of Health: *Provided*, That no such removal shall take place except for the purpose of burial or cremation. [86—200.]

Sec. 273. Construction and maintenance of undertaking estab-

lishments.—No person shall conduct the business of undertaking, embalming, or keeping of the dead awaiting final disposition, except in inclosures which are adequately lighted and ventilated and screened so as to prevent entrance, contact, or the escape of flies or insects; the floors composed of impervious material, and the general construction to be such as to be capable of being easily cleansed and disinfected. Such inclosures must be disinfected from time to time and at all times maintained in a sanitary condition satisfactory to the Director of Health. [86—201.]

Sec. 274. Inspection of places for disposition of the dead.—All morgues, undertaking establishments, receiving vaults, and places for embalming the dead, all burial grounds or cemeteries, crematories, and other places for the disposition of the dead, shall be subject at all hours to such inspection as the Director of Health or his agents may deem necessary. [86—202.]

Sec. 275. Unlawful burials.—Any person who shall bury or inter or cause to be buried or interred, a dead body of any human being or human remains in any place except an authorized burial ground or cemetery now or hereafter existing, shall be considered a violator of this ordinance. [86—203.]

Sec. 276. Funerals.—Except in times of epidemic, or in case of death due to or with a dangerous communicable disease, the right to hold funerals and to take the remains of the deceased person into churches or other places for this purpose shall not be abridged or interfered with: *Provided*, That such remains shall have been properly disinfected and inclosed in a substantial coffin of wood or metal, so as to prevent the escape of offensive gases, liquids, or odors. In cases of death due to or with a dangerous communicable disease the body of such deceased person shall not be taken to places of public assembly, nor any person permitted to attend the funeral of such deceased person except the adult members of the immediate family of the deceased, his nearest friends, not exceeding four, and other persons whose attendance is absolutely necessary. [86—204.]

Sec. 277. Persons charged with duties of burial.—The duty of burying the body of a deceased person shall devolve upon the persons hereinafter in this section specified:

(a) If the deceased was a married man or woman, the duty of burial shall devolve upon the surviving spouse if he or she possesses sufficient means to pay the necessary expenses.

(b) If the deceased was an unmarried man or woman, or a child, and left any kin, the duty of burial shall devolve upon the nearest of kin of the deceased, if they be adults, and within the Philippine Islands, and in possession of sufficient means to defray the necessary expenses.

(c) If the deceased left no spouse or kindred possessed of sufficient means to defray the necessary expenses, as provided in the last two preceding subsections, the duty of burial shall devolve upon the public authorities.

Nothing in this section contained shall change the liability of the estate of the deceased for the ultimate payment of expenses, the purpose and intent of this section being to fix the immediate duty of burial and without respect to the ultimate liability or expense thereof. [86—205.]

Sec. 278. Failure to bury.—Any person upon whom the immediate duty of burial of a dead body is imposed by law who omits to perform that duty within forty-eight hours after death, having ability to do so, shall upon conviction be punished as in this ordinance provided. [86—206.]

Sec. 279. Custody of dead bodies.—Any person charged by law with the duty of burying the body of a deceased person is entitled to the custody of such body for the purpose of burying it, except when an inquest is required by law for the purpose of determining the cause of death or in the case of death with a dangerous communicable disease. The bodies of persons dead from a dangerous communicable disease shall remain in the custody of the Bureau of Health until released, in accordance with the provisions of section two hundred and seventy-two hereof. [86—207.]

Sec. 280. Burial at sea.—No person dying in the city of Manila shall be buried at sea until a special permit therefor has been obtained from the Director of Health and the marine laws governing burials at sea have been complied with.

In no case shall burial of a body in that part of the bay comprised within the jurisdiction of the city of Manila be permitted. [86—208.]

Sec. 281. Location of cemeteries.—It shall be unlawful for any person or persons, or for any order or society of persons, or for any corporation or corporations, or for any church or other organization whatsoever, to bury or inter any dead body, or to use any land or lands, in any way whatsoever, as a burial place or as a temporary or permanent place of interment or disposal of the dead, within fifty meters of either side of any river or rivers, or within fifty meters of any spring or well or other source of water supply: *Provided*, That the Director of Health may, in his discretion, authorize the continuance of any burial ground, cemetery, or other place for the temporary or permanent disposal of the dead, not meeting the requirements of this section, which may have been established prior to the first day of January, nineteen hundred and seven. [86—209.]

Sec. 282. Proximity to dwellings; permits.—After the first day of January, nineteen hundred and seven, no burial ground or cemetery shall be authorized or established which shall not be at least twenty-five meters from any dwelling house: *Provided*, That abandoned houses, or houses used by employees or attendants of the cemetery, and houses used for administrative or other necessary purposes connected with the cemetery, shall not, in the meaning of this chapter, be considered as dwelling houses: *Provided further*, That it shall be the duty of the person or persons, or the order or

society of persons, or of the corporation or corporations, or of the church or other organization establishing such cemetery, to maintain an open space, unobstructed by habitation or other structures, of at least twenty-five meters on all sides of said burial ground or cemetery, except as hereinbefore in this chapter provided: *And provided further*, That it shall be unlawful to establish, maintain, enlarge, or remove any burial ground or cemetery until a permit therefor approved by the Director of Health has been obtained. [86—210.]

Sec. 283. Sanitary maintenance.—All burial grounds or cemeteries within the city of Manila must be kept in a sanitary condition satisfactory to the Director of Health. [86—211.]

Sec. 284. Depth of graves.—Whenever practicable, all graves shall be dug to a depth of at least one meter and fifty centimeters, so that there shall be one meter of earth covering bodies that have been inclosed in coffins, boxes, or other solid receptacles, and at least one meter and twenty centimeters of earth covering uncoffined bodies. [86—212.]

Sec. 285. Unsealed overground tombs.—The placing of the body of any deceased person in any unsealed overground tomb is prohibited unless the coffin or casket containing the remains shall first be permanently and hermetically sealed in a metal case. This provision shall not apply to tombs or vaults that are strictly receiving vaults for remains awaiting shipment from Manila for final disposition. [86—213.]

Sec. 286. Disinterments.—The removal of any body from its original place of interment is declared to be a nuisance prejudicial to the public health and is prohibited unless the same shall be done by permission and under the supervision of the Director of Health or his agent: *Provided*, That no disinterments of remains of bodies of persons shall be made unless a permit therefor has been obtained from the Director of Health. [86—214.]

Sec. 287. Rules for disinterments.—Whenever, in the opinion of the Director of Health, it is deemed advisable to disinter or exhume the bodies or remains of persons who have died with or of other than dangerous communicable diseases, permission may be granted after such bodies have been buried for a period of three years. The body or remains of a deceased person, upon exhumation, shall be immediately disinfected and inclosed in a coffin, case, or box, securely fastened: *Provided*, That special permits may be issued for the disinterment or exhumation of the remains of deceased persons who have died with or of other than dangerous communicable diseases, after a period of one and one-half years has elapsed from the date of burial, if it be found that the disinterment or exhumation of such remains will not be to the detriment of the public health: *Provided, however*, That special permits may be issued at any time for the disinterment or exhumation of remains of persons dying of other than dangerous communicable

diseases and that have been properly embalmed by an undertaker or embalmer, or of bodies that have been placed in a receiving vault awaiting transportation from Manila. Boxes containing bodies or remains shall be plainly marked with a paster showing the name of the deceased, place of death, cause of death, and the point to which they are to be shipped. No body or remains of any person who has died with or of a dangerous communicable disease shall be disinterred until five years from the date of death shall have elapsed: *Provided further*, That in special cases, and under such sanitary precautions as the Director of Health may prescribe, such bodies or remains may be disinterred by special permission of the Director of Health after a period of two years shall have elapsed: *And provided further*, That the Director of Health may, upon the request of any guardian, sexton, superintendent, or keeper, or any person or corporation, or religious sect of whatever denomination, in charge of a cemetery or burial ground within the city of Manila, grant authority to empty at a time several niches or vaults of the remains which have remained unclaimed, after the legal period of the lease of the niches or vaults has expired, and a reasonable extension of the time has been allowed, and due notice given thereof for the renewal of the lease; with the understanding, however, that the remains removed from said niches or vaults shall always be reinterred within the inclosure of the same cemetery, and that the remains of foreigners shall in each case be reinterred separately and permanently marked.

Permits issued in accordance with the foregoing paragraph shall be gratuitous. [86—215.]

Sec. 288. Fees payable to the Bureau of Health.—For the purpose of carrying out the provisions of this chapter, the following fees, payable to the Bureau of Health, are charged:

(a) For each burial permit issued.....	P0.50
(b) For each disinterment permit issued	1.00
(c) For each niche in Paco Cemetery, adult, five years.....	33.00
For each extension of one year or fraction, adult.....	6.60
(d) For each niche in Paco Cemetery, child, five years.....	16.00
For each extension of one year or fraction, child.....	3.20
(e) For each transcript of record of five years or less	1.00
(f) For each transcript of record of more than five years.....	2.00
(g) For each permit to transport a body into or out of the city of Manila, one peso: <i>Provided, however</i> , That no fee shall be charged for said permit in case deceased was at the time of death in the employ of the United States or Philippine Government, or was paid from the appropriation for the support of the United States Army: <i>And provided further</i> , That nothing in this chapter shall be construed as interfering with the right of the Bureau of Health from issuing, gratis, burial permits for burial or other disposition of the remains of paupers; or from issuing, gratis, transcripts of such records as may be required by the courts or by officers of the Government for official purposes or to persons unable to pay for the same. [86—225.]	

[For cemetery fees, etc., of the Cementerio del Norte see sec. 309 hereof.]

Sec. 289. Transportation of bodies by military authorities.—

Nothing in this chapter shall operate to interfere with the military authorities of the United States in transporting the bodies or remains of officers, soldiers, sailors, or civilian employees in the Army or Navy or other public service of the United States, or of their families, under Acts of Congress: *Provided*, That the death was not due to a dangerous communicable disease, in which case two years shall have elapsed before disinterment, unless the bodies were cremated before burial; or to interfere with the transit of bodies of deceased officers, soldiers, sailors, or civilian employees of the Army and Navy or other public service of the United States, or of their families, in charge of military authorities, from place of death to the authorized burial place or embalming places, to any morgue or other place for receiving the dead. [86—216.]

CHAPTER 18.

THE CEMENTERIO DEL NORTE.

Sec.	Sec.
290. Public use.	305. Maintenance and repair of niches, etc.
291. Plan.	306. Obstruction of avenues, walks, or lots.
292. Administration.	307. Title to plots, etc., procedure to secure.
293. Order and police.	308. Burial of paupers.
294. Record of administration.	309. Tariff of prices and fees.
295. Orders of Bureau of Health.	310. Reversion to city of graves and niches, when.
296. Interment.	311. Expenses of interment and exhumation.
297. Open to public, when.	312. Inability to pay cost.
298. Animals running at large.	313. Deposit of ashes of cremation.
299. Cemetery chapel.	314. Penalty.
300. Preparation of chapel for services.	
301. Duties of superintendent.	
302. Graves, niches, and plots.	
303. Removal of bodies.	
304. Erection of monuments, planting of trees, etc.	

Sec. 290. Public use.—The Cementerio del Norte of the city of Manila, created by resolutions of the Municipal Board of August twenty-seventh, nineteen hundred and three, and January seventh, nineteen hundred and four, shall be open to the public, for the purpose for which it was created. [69—1.]

Sec. 291. Plan.—The cemetery shall be divided into lots and blocks as shown by the plan now on file in the office of the city engineer, designated as the “Plan of the Cementerio del Norte.” Said plan is hereby approved, and a copy of the same shall be kept on file for the use of the public in the office of the superintendent of cemeteries. [69—2.]

Sec. 292. Administration.—The administration and government

of the cemetery shall be under the chief of the department of sanitation and transportation. [69—3.]

Sec. 293. Order and police.—The order and police of the cemetery shall be in charge of, and under the responsibility of, the superintendent of the cemetery. Appeals from his decisions may be made to the Municipal Board, whose decision shall be final. [69—4.]

Sec. 294. Record of administration.—The chief of the department of sanitation and transportation shall cause to be kept registers, books, and plans, which shall constitute a true and accurate record of the administration of the cemetery, and shall show in detail all lots, blocks, graves, and niches, and the disposition of the same; the names of persons buried; the relatives or other persons procuring their interment; itemized accounts of all moneys received and paid out on account of the cemetery, together with such additional information as may be required by the Municipal Board. [69—5.]

Sec. 295. Orders of Bureau of Health.—In the administration of the cemetery, the chief of the department of sanitation and transportation shall consult with the Bureau of Health upon all questions affecting the public health, and shall require conformity on the part of all concessioners with the orders of said Bureau. [69—6.]

Sec. 296. Interment.—The remains of all persons, without distinction of race, religion, politics, or cause of death, shall be admitted for interment or deposit in the cemetery in accordance with the rules and regulations prescribed in this chapter. [69—7.]

Sec. 297. Open to public, when.—The cemetery shall be open to the public every day, including holidays, from four antemeridian to eight postmeridian. [69—8.]

Sec. 298. Animals running at large.—Animals shall not be permitted to run at large in the cemetery, and if found there shall be impounded as provided in chapter three hereof. [69—9.]

Sec. 299. Cemetery chapel.—The use of the cemetery chapel for the holding of funeral services shall be granted to all applicants who have paid the corresponding burial charges, such use to be granted in the order of application. No person or party shall be permitted to occupy the chapel for more than a half hour when by so doing other applicants will be prevented from using same. [69—13.]

Sec. 300. Preparation of chapel for services.—Preparation of the chapel for funeral services according to the customs of the priest, pastor, or person conducting the services shall be a private matter in which the city shall not intervene. [69—14.]

Sec. 301. Duties of superintendent.—The placing of bodies in niches, graves, or tombs of the cemetery; the opening of graves, niches, or tombs; the exhuming of remains, and the purification and disinfection of the same, shall be in charge of the superintendent of the cemetery, unless special permission to the contrary be obtained from the chief of the department of sanitation and transportation. [69—15.]

Sec. 302. Graves, niches, and plots.—Upon the payment of the prices fixed in section three hundred and nine hereof, graves, niches, and plots may be obtained for present or future use. Except as provided in sections three hundred and ten and three hundred and twelve hereof, grants of graves, niches, and plots shall be in perpetuity: *Provided*, That the grantee shall observe the terms of this chapter and such other rules and regulations as shall be prescribed by competent authority. [69—16.]

Sec. 303. Removal of bodies.—Bodies shall only be removed upon the order of the Director of Health or at the request of the members of the families of the deceased within the third degree. [69—17.]

Sec. 304. Erection of monuments, planting of trees, etc.—Grantees of plots may erect niches, tombs, mausoleums, monuments, and fences, and plant trees, gardens, and so forth: *Provided*, That in all cases before entering upon such improvements a statement of the proposed work be submitted to and approved by the chief of the department of sanitation and transportation. [69—18.]

Sec. 305. Maintenance and repair of niches, etc.—The maintenance and keeping in repair of all niches, tombs, mausoleums, monuments, and fences erected by private persons shall be at the cost of such persons, and whenever, because of decay or the failure to keep same in repair, such improvements shall become unsightly or otherwise injurious to the surroundings, the owner thereof shall be required to repair or remove the same, and in case of failure to do so within a reasonable time, the superintendent of the cemetery shall remove them at the expense of the owner. [69—19.]

Sec. 306. Obstruction of avenues, walks, or lots.—No owner of any plot shall maintain any tree, shrubbery, or any other object which shall obstruct or interfere with the reasonable use and enjoyment of the adjoining avenues, walks, or lots. If, in the judgment of the superintendent of the cemetery, any tree, shrubbery, or other object shall so obstruct, the owner shall be required to remove the same, and in case of failure to do so within a reasonable time, the superintendent of the cemetery shall remove the obstruction at the owner's expense. [69—20.]

Sec. 307. Title to plots, etc., procedure to secure.—A person desiring to secure a plot, grave, or niche in the cemetery shall pay to the city assessor and collector the tariff price for the same and procure a receipt showing such payment, which receipt shall be presented to the chief of the department of sanitation and transportation who shall cause the necessary title papers to be prepared and executed. [69—21.]

Sec. 308. Burial of paupers.—There shall be set aside in the cemetery certain lots and blocks for the burial of paupers, and, except as to the portion so set aside, no burials shall be permitted unless payment shall have been made in accordance with the tariff hereinafter in this chapter provided. [69—22.]

Sec. 309. Tariff of prices and fees.—The prices of plots, graves, and niches and the cemetery fees shall be as follows:

Plots for graves, tombs, mausoleums, etc., per square meter:

Land less than 4.5 meters above sea level.....	P4.00
Land 4.5 meters or more above sea level.....	9.00

Single graves, in perpetuity, according to dimensions:

Length.	Breadth.	Area.	Per grave.
<i>Meters.</i>	<i>Meters.</i>	<i>Sq. meters.</i>	<i>Pesos.</i>
2.00	1.00	2.00	8.00
1.40	.80	1.12	5.00
.80	.60	.48	2.00

Niches, in perpetuity:

Length.	Breadth.	Area.	Per niche.
<i>Meters.</i>	<i>Meters.</i>	<i>Sq. meters.</i>	<i>Pesos.</i>
2.30	0.90	2.07	52.00
1.70	.70	1.19	30.00
1.10	.50	.55	14.00

For the first half hour of use or occupation of chapel..... Nothing

For each quarter hour of use after first half hour..... P2.50

For deposit of a body, in its urn or case, per day..... 2.50

For services for disinterment of a body, payable in advance..... 5.00

[69—23; 75—1.]

Sec. 310. Reversion to city of graves and niches, when.—Graves and niches becoming vacant by reason of the disinterment of remains shall revert to the city upon the payment by it of the following percentages of the original cost to the owners of same:

Per cent.

If vacated within 25 years after concession 75

If more than 25 and less than 50 years after concession 50

If more than 50 and less than 75 years after concession 25

All graves and niches vacated after the expiration of seventy-five years from the concession shall revert to the city without the obligation of returning any portion of the cost price of same. [69—24.]

Sec. 311. Expenses of interment and exhumation.—All expenses of interment and exhumation except as provided in subsections (a) and (b) of section two hundred and eighty-eight hereof are included in the tariff of section three hundred and nine hereof: *Provided, however,* That when by reason of decay or when in the process of disinterment the case or coffin shall be destroyed, it shall be the duty of the party desiring the removal of a body to provide at the

cemetery a suitable case for the remains, which shall be properly cleansed and disinfected and placed therein by the cemetery authorities. [69—25; 75—2.]

Sec. 312. Inability to pay cost.—When those desiring the interment of a body shall be unable to pay the entire cost of a grave or niche, they may pay one-half thereof in advance and the other half within five years thereafter. In case of failure to make such additional payment within the time stated, the remains shall be exhumed and cremated and the niche or grave declared vacant, and the same shall thereupon revert to the city. [69—26.]

Sec. 313. Deposit of ashes of cremation.—The ashes of each body cremated shall be deposited in a grave which shall be separated from the others, suitably identified and faithfully cared for. [69—27.]

Sec. 314. Penalty.—Any person violating any provision of this chapter shall upon conviction be punished by a fine of not more than fifty pesos, for each offense. [69—28.]

TITLE 6.

ELECTRICITY.

Chap.

- 19. The city electrician, his powers and duties in general.
- 20. Electrical construction.

Chap.

- 21. The sale and supply of electricity and telephone service.
- 22. The operation and service of street railways.

CHAPTER 19.

THE CITY ELECTRICIAN, HIS POWERS AND DUTIES IN GENERAL.

Sec.

- 315. City electrician's general powers.
- 316. Inspection and condemnation.
- 317. Arbitration of disputes.
- 318. Removal of defective wires by city electrician, when.
- 319. Penalty.
- 320. Right to enter premises.
- 321. Meters, inspection and testing of.

Sec.

- 322. Certificates of inspection issued.
- 323. Contents of certificates of inspection.
- 324. Fees for inspection and test.
- 325. Fees for subsequent inspections.
- 326. Deposit and statement of fees.
- 327. Records of city electrician.
- 328. Annual reports.

Sec. 315. City electrician's general powers.—The senior electrician employed in the fire department shall be the city electrician, and is authorized, empowered, and directed to have general supervision over the sale and supply of electricity and telephone service and the placing, stringing, attaching, and construction of telegraph, telephone, electric light, electric railway, and other electric wires, poles, and other apparatus, the inspection of the same, and the enforcement of all laws and ordinances relating thereto. [68—1.]

Sec. 316. Inspection and condemnation.—The city electrician shall, as frequently as practicable, and at least once in each calendar year, inspect all wires, poles, and other apparatus installed or used for generating, containing, conducting, or measuring electricity, or in the sale and supply of electricity or telephone service;

shall issue to the owner or user thereof a certificate of the result of such inspection; and shall condemn all such wires, poles, or other apparatus as are dangerous or defective, notifying the owner or user of such defective or dangerous wire, pole, or other apparatus that such pole, wire, or apparatus has been condemned, and to remedy or remove the same within the time stipulated by section three hundred and eighteen hereof. [68—2.]

Sec. 317. Arbitration of disputes.—If the owner or user so notified objects to such condemnation he may appeal to three arbitrators, one to be named by the city electrician, one by the owner or user, and one to be chosen by the two arbitrators so named. The owner or user upon making the appeal shall deposit twenty pesos with the city electrician, which shall be in full of all costs of such arbitration. If the decision of the arbitrators is favorable to the owner or user, the twenty pesos shall be returned to him and the cost of arbitration shall be borne by the city. The arbitrators shall make a written decision in duplicate, under oath, whether in their opinion the wire, pole, or apparatus is defective or dangerous, and this decision shall be final and conclusive; and one copy of it shall be given to the owner or user and the other to the city electrician. [68—2.]

Sec. 318. Removal of defective wires by city electrician, when.—If the owner or user shall fail to remedy or remove the condemned wire, pole, or other apparatus within ten days after notice, or in case of appeal within ten days after the receipt of a copy of an adverse decision thereon by the said arbitrators, the city electrician shall proceed to remedy or remove such wire, pole, or other apparatus at the owner's expense, and such expense shall be in addition to any fine or penalty which may be imposed upon the owner or user for violation of any provision of law or ordinance. [68—2.]

Sec. 319. Penalty.—Any person who, having been notified as hereinbefore provided in this chapter, to remedy or remove any defective or dangerous wire, pole, or apparatus, shall fail to remedy or remove the same within ten days after such notice, or in case, upon appeal, as hereinbefore provided in this chapter, said arbitrators shall decide against him, within ten days after the receipt of a copy of such adverse decision, shall, upon conviction thereof, be punished by a fine of twenty pesos for each day that he shall fail to remedy or remove the condemned wire, pole, or other apparatus. [68—2.]

Sec. 320. Right to enter premises.—The city electrician and his subordinates shall have the right, during reasonable hours and in such manner as not to interfere with the proper operations of the property to be inspected, to enter in and upon any building, manhole, subway, or other place in the discharge of his official duties, and for

this purpose he or they shall be given prompt access as above stated to all buildings, public or private, and all manholes, conduits, and other places, upon application to the person owning or in charge of the same; and it is hereby made the duty of the owner or tenant of said property to permit such inspection upon application: *Provided*, That the city electrician or his subordinate desiring to make such inspection shall exhibit a badge showing his official character. [68—4.]

Sec. 321. Meters, inspection and testing of.—The city electrician shall inspect and test all new electric meters and all electric meters disconnected for repairs before the same shall be connected for use, and, when found correct, shall place on each meter a certificate of correctness, together with the date of inspection and test: *Provided, however*, That standard meters, when properly sealed, shall be accepted without inspection. No electric meter shall be certified correct which upon test runs irregularly or which registers over three per centum more or less electrical current than actually passes through it. [68—5.]

Sec. 322. Certificates of inspection issued.—It shall be the duty of the city electrician, on receipt of a notice of the completion of the wiring, installation, or alteration of electrical apparatus of any building, or the completion of any outside construction work, or alteration, at once to inspect the work, and if approved by him, upon the receipt of the fees for such inspection, if any be due, to issue a certificate of inspection; but no such certificate shall be made or issued unless all poles, apparatus, wiring, and construction shall be in strict conformity with the rules and regulations in this title set forth. [68—22.]

Sec. 323. Contents of certificates of inspection.—Each certificate of inspection or test made by the city electrician shall contain the date and result of the inspection or test, the location of the wires or other apparatus tested, and the name of the party owning the same or for whom the test was made, and shall be signed by the city electrician and delivered by him to the party entitled to the same, upon the payment of the fees in this chapter provided for. [68—26.]

Sec. 324. Fees for inspection and test.—The fees for each inspection and test in this title provided for shall be as follows:

For inspection and test—

(a) Of installation of any number of incandescent lamps	\$1.00
And additional for each lamp .....	.10
(b) Of each telephone apparatus	1.00
(c) Of each dynamo switch board	2.00
(d) Of each motor and its controlling apparatus of one-fourth horsepower or less .....	.50
(e) Of each motor and its controlling apparatus of more than one-fourth horsepower	2.00

For inspection and test—Continued.

(f) Of each electric heating apparatus.....	₱1.00
(g) Of each electric meter if tested	2.00
(h) Of each installation of bells and annunciator if in building with other electric wiring	2.00
(i) Of each arc light	2.00
(j) Of each electric dynamo	2.00
(k) Of each electric fan .....	.50

Provided, That in cases of temporary installations consisting of not more than one hundred lamps, to be used for less than fifteen days, an inspection fee of five centavos per lamp shall be charged, and for each lamp in excess of one hundred an inspection fee of one centavo.

The same fee shall be charged for each inspection or test of electric wires conveying electricity to the apparatus mentioned in subdivisions (c) to (k), inclusive, of the above schedule as for inspecting or testing the apparatus itself, but where both the electric wires and the apparatus shall be inspected or tested at the same time, charge shall only be made for the inspection or test of the apparatus. [68—23; 91—1.]

Sec. 325. Fees for subsequent inspections.—In case the apparatus or wires on the first and second inspection shall be condemned, and the city electrician be called to inspect the installation the third time, an additional fee shall be charged at the same rate as above for such third inspection and such subsequent inspections as shall be necessary. [68—24.]

Sec. 326. Deposit and statement of fees.—The city assessor and collector shall deposit, on the last day of each month, all fees received by him under the provisions of this title during each month, and shall, at the same time, deliver to the Auditor for the Philippine Islands an itemized statement of such fees. [68—25.]

Sec. 327. Records of city electrician.—The city electrician shall keep books in his office, in which he shall enter a record of each inspection or test made by him, giving the date, the location of the wires or other apparatus inspected, the name of the person owning or installing the same, the name of the consumer for whom the same were installed, and a general description of the wires or apparatus inspected, the method of such inspection; the number of each electric meter tested, the method of such test, and all the proceedings of his office. [68—26.]

Sec. 328. Annual reports.—The city electrician shall on the tenth day of July of each year make a full and complete report in writing to the Municipal Board, through the chief of the fire department, of inspections made by him during the preceding fiscal year, together with recommendations as to the improvement of the service. [68—27.]

CHAPTER 20.

ELECTRICAL CONSTRUCTION.

- Sec.
 329. Permits.
 330. Inspection and certification necessary; penalty.
 331. Permits for electrical installation.
 332. Applications for installation of such systems.
 333. Applications for installation of interior electrical construction.
 334. Concealing of electrical construction.
 335. Additional loading of wires.
 336. National Electrical Code.
 337. Devices for protection of persons and property.
 338. Placing of lines of electrical systems.
 339. Electric wires crossing streets.
 340. Dead wires.

WIRING—ELECTRIC LIGHT AND POWER.

341. Height of wires from ground.
 342. Voltage.
 343. Lightning arresters.
 344. Primary lines; service and outside wires.
 345. Transformers.

WIRING—TELEPHONE AND TELEGRAPH.

346. Metallic circuit, and resistance of wires, telephone lines.
 347. Size of wires.
 348. Number of wires per pole.

- Sec.
 349. Wires on poles with other power wires.
 350. Protection of telephone wires.

POLES—FRAMING AND CONSTRUCTION—GENERAL.

351. Description and location.
 352. Setting in ground.
 353. Gain.
 354. Wood pins.
 355. Porcelain knobs and cleats.
 356. Bottom cross arms.
 357. Junction poles, etc.
 358. Guy wires.
 359. Framing.
 360. House fixtures.
 361. Roof structures.
 362. Line of poles used by different persons, cross arms.
 363. Taking down of poles.

ELECTRIC LIGHT AND POWER POLES.

364. Dimensions and placing.
 365. Cross arms.

TELEPHONE AND TELEGRAPH POLES.

366. Dimensions and placing.
 367. Cross arms, size.
 368. Spacing of pins.
 369. Bracing and fastening.
 370. Terminal poles.
 371. Branch arms, etc.
 372. Guard irons.

Sec. 329. Permits.—No person other than one having a permit as in section five hundred and thirty-six hereof provided shall install or alter any electrical wires or apparatus. [68—15.]

Sec. 330. Inspection and certification necessary; penalty.—No person shall maintain or use, or cause any electrical current to be connected with any wire, meter, pole, or other electrical apparatus which has not been inspected and certified to be correct by the city electrician. Any person violating the provisions of this section shall upon conviction thereof be punished by a fine of twenty pesos for each day that such wires, meters, poles, or apparatus shall be used or maintained, or the current shall remain on without such certificate of approval. [68—16.]

Sec. 331. Permits for electrical installation.—No person shall erect, install, or alter any electric light, power, telegraph, telephone, or other electrical system or line, or erect, install, or alter any interior electrical wires, or other apparatus, without a permit from the city electrician. [68—17.]

Sec. 332. Applications for installation of such systems.—Before erecting, installing, or altering any such line or system, application shall be made to the city electrician in writing, accompanied by plans and showing the streets to be occupied by said lines, the size and material of wires, purposes for which the wires are to be used, amount of current to be carried by such wires, the size and material and as nearly as possible the location of the poles to be used to support said wires, the framing of the poles, and the character of the insulators. It shall be the duty of the city electrician to grant every such proper application: *Provided, however,* That nothing in this section shall be construed as authorizing the issuance of permits to any person not possessing a franchise from the city for the purpose, nor shall it be construed as granting permission to erect poles or other attachments or to place or string wires upon or over private property without first having obtained a franchise to do so and the written consent of the owner and tenant of said property, or, in case of refusal by the owner or tenant, having obtained a right of way in the manner provided by general law: *Provided further,* That nothing in this section contained shall be construed as granting permission for excavation in streets, alleys, sidewalks, or public grounds in the city without full compliance with the provisions of this ordinance and of such further ordinances as may hereafter be enacted covering excavations in the streets, alleys, and other public places of the city. [68—18.]

Sec. 333. Applications for installation of interior electrical construction.—Before erecting, installing, or altering any interior electrical construction, application shall be made to the city electrician, stating the location of the premises, describing fully the construction desired, and the use that is to be made of the same. When the construction is completed and ready for inspection a plan shall be submitted showing location of all wires, lights, and apparatus: *Provided, however,* That no plan shall be necessary for the installation of a single telephone or of less than ten incandescent lights. [68—19.]

Sec. 334. Concealing of electrical construction.—No electrical wiring or construction shall be inclosed or concealed before inspection by the city electrician. [68—20.]

Sec. 335. Additional loading of wires.—Additional loading of wires, either for a building as a whole or for any part thereof, shall not be made without the previous approval of the city electrician. [68—21.]

Sec. 336. National Electrical Code.—The rules and regulations, contained in the latest edition of what is known as the "National Electrical Code," a copy of which shall have been certified as official and filed by the secretary of the Municipal Board, are hereby adopted and approved. Except as otherwise provided to the contrary in this title, all electrical construction and all material and appliances used in connection with electrical work and the operation of electrical apparatus shall conform to the said rules and regulations of the "National Electrical Code."

Sec. 337. Devices for protection of persons and property.—All persons installing, operating, or using electrical wires or apparatus shall be required to adopt modern and improved devices for the protection of persons and property, and shall be held responsible for any damage, whether to persons or property, which may result from the construction, maintenance, or operation of their plant, and shall hold the city harmless from any damages caused thereby. [68—29.]

Sec. 338. Placing of lines of electrical systems.—Where it shall be necessary for the lines of the several electrical systems operating in the city of Manila to occupy the same side of a street or to cross each other, the said lines shall be placed as follows:

The lines of the Manila Electric Railroad and Light Company, or any other electric street-railway company which may be authorized to occupy the streets of the city, shall be placed not more than nine meters from the ground. The lines of La Electricista, or any other electric light or power company which may be authorized to occupy the streets of the city, shall be placed at least sixty-six centimeters above the first lines mentioned, and not more than eleven meters from the ground. Those of the Manila Telephone Company, or any telephone or telegraph company hereafter authorized to use the streets of the city, at least sixty-six centimeters above lines last mentioned, the fire and police alarm above all other wires: *Provided, however,* That the city electrician may permit in special cases a deviation from this order. In no case shall the lines of different owners be placed closer than sixty-six centimeters to each other, except as provided in section three hundred and forty-four hereof. [68—30.]

Sec. 339. Electric wires crossing streets.—All electric wires shall cross the streets as nearly as possible at right angles. [68—31.]

Sec. 340. Dead wires.—No person shall maintain any dead wire outside of any building, and the owner of any such wire shall remove the same within ten days from the receipt of a notice so to do from the city electrician: *Provided,* That dead telephone wires detached from the building in which same have been used, and grounded at the nearest pole, may be maintained in as good condition as if they were in use. [68—32.]

WIRING—ELECTRIC LIGHT AND POWER.

Sec. 341. Height of wires from ground.—All electric light and power lines shall be placed and maintained at least six and four-tenths meters above the ground, except trolley wires, which shall be placed and maintained at least five and one-half meters above the ground. [68—33.]

Sec. 342. Voltage.—No person shall maintain or use any system for supplying electric light, heat, or power the voltage in any circuit of which at any time shall exceed three thousand five hundred volts, except in the case of primary circuits leading to substations to be used for the purpose of transforming the same to three thousand five hundred volts or less for ordinary commercial use. [68—34.]

Sec. 343. Lightning arresters.—All electric light and power lines shall be provided with lightning arresters, permanently grounded at such points as shall be directed by the city electrician. [68—35.]

Sec. 344. Primary lines; service and outside wires.—Primary lines shall not be permitted on the inside of any building (except central station), or nearer thereto than one and one-half meters, without special authority from the city electrician. Service wires (those leading from outside main wire to the building and attached to the same) shall be rubber covered. Outside wires, either primary or secondary, shall not be closer than sixty-four centimeters to any foreign circuits, such as telephone, telegraph, or other power circuits, and not closer than ninety-one centimeters to fire and police alarm circuits. [68—36.]

Sec. 345. Transformers.—Transformers shall not be placed inside nor attached to buildings, except by special permission of the city electrician. [68—37.]

WIRING—TELEPHONE AND TELEGRAPH.

Sec. 346. Metallic circuit, and resistance of wires, telephone lines.—No person shall maintain or use any telephone line not having a double circuit, excluding the ground, or any wire or conductor not perfectly insulated or one offering a greater resistance than forty-two ohms per kilometer at a temperature of twenty degrees centigrade. [68—38.]

Sec. 347. Size of wires.—No wire shall be used for outside telephone or telegraph construction smaller than number fourteen, Brown and Sharpe gauge, copper or galvanized iron: *Provided, however,* That for construction made prior to the fifth day of September, nineteen hundred and four, number fifteen Brown and Sharpe gauge may be maintained; number eighteen insulated wire may be approved for connecting up instruments in the interior of buildings.

Tie wires shall be of the same material and size as line wires on outside construction. [68—39.]

Sec. 348. Number of wires per pole.—On any lead of lines there

shall not be more than fifty wires. If it becomes necessary to run more, they shall be cabled in an approved cable. No wires shall be less than six and three-fourths meters from the ground, and in all instances where lines cross or run parallel with other circuits, such as telephone, electric light, or other power circuits, they must be sixty-four centimeters apart, and in no case closer than ninety-one centimeters to fire and police alarm circuits. [68—40.]

Sec. 349. Wires on poles with other power wires.—Telephone or telegraph wires shall only be permitted on poles with electric light or other power wires in special cases by permission of the city electrician. [68—41.]

Sec. 350. Protection of telephone wires.—Telephone wires entering buildings shall be protected by double pole fuse cut-out and fuses not having a greater carrying capacity than one-half ampere. All inside telephone wires shall be run on either porcelain knobs or porcelain cleats. Twin wires, rubber covered, properly insulated, will be approved. Inside telephone wires shall not be closer than fifteen centimeters to other foreign circuits, such as telephone, telegraph, electric light, bell wires, or power circuits. [68—42.]

POLES—FRAMING AND CONSTRUCTION—GENERAL.

Sec. 351. Description and location.—All poles used for the suspension of electric wires, tubes, or cables shall be straight, shapely, and of uniform size, either of iron or approved wood, neatly planed or shaved, and shall be thoroughly painted with two coats of lead or oil paint of such color as may be directed by the city electrician, and each of said poles shall bear a distinctive number, together with the name or initials of the owner legibly painted thereon. Whenever the poles shall be erected on a street they shall be placed in all cases as near as practicable to the curb line, and, where practicable, on the line dividing the lots one from the other, and in no case be so placed as to obstruct the drainage of the streets or interfere or damage in any way the curbstone, trees, or other public or private property on the line of the street, alley, or public place where such poles shall be erected: *Provided*, That where it shall be necessary to trim trees in order to run wires, such trimming shall be done only by direction of and in accordance with the instructions of the city electrician. [68—43.]

Sec. 352. Setting in ground.—All poles shall be set at least one and one-half meters in the ground, and if more than ten and one-half meters in length ten centimeters additional for every meter additional length. They shall be thoroughly tamped, and if the ground is soft and marshy, concrete consisting of one part cement to two parts of sand mixed with five parts of broken stone shall be used to make an artificial foundation. [68—44.]

Sec. 353. Gain.—All poles shall be pointed at the top. In framing poles for cross arms they shall be gained and each gain painted or treated with a suitable wood preservative before the arms are

placed in position. The gain shall not be cut deep enough to materially weaken the pole. [68—45.]

Sec. 354. Wood pins.—All wood pins shall have the shanks dipped in paint, or suitable wood preservative, and be driven into the cross arm while wet. [68—46.]

Sec. 355. Porcelain knobs and cleats.—Porcelain knobs or cleats shall not be used for outside construction. [68—47.]

Sec. 356. Bottom cross arms.—No line of poles shall have the bottom cross arm nearer than six and three-fourths meters from the ground, except in special cases where the city electrician shall authorize a deviation from this rule. [68—48.]

Sec. 357. Junction poles, etc.—Poles at angles in the line and junction poles shall be strengthened by guying or in such other manner as the city electrician shall direct. [68—49.]

Sec. 358. Guy wires.—All guy wires shall be so constructed as not to prevent a cross arm from being removed and shall have an insulating break at least three meters above the ground. [68—50.]

Sec. 359. Framing.—The framing of all poles of the same line shall be uniform if practicable. [68—51.]

Sec. 360. House fixtures.—House fixtures shall not be used except where conditions exist rendering it impossible to set poles. All house fixtures shall be tagged or marked with the name or initial of the owner and thoroughly painted, as provided for poles in section three hundred and fifty-one hereof. [68—52, 53.]

Sec. 361. Roof structures.—In case it becomes necessary to use roof structures, they shall be substantial and so constructed as to raise the wires at least two and one-tenth meters above flat roofs and thirty centimeters above ridged or pitched roofs. [68—52.]

Sec. 362. Line of poles used by different persons, cross arms.—In case the same line of poles shall be used by wires, tubes, or cables of different persons, cross arms shall be sixty-four centimeters apart, and the cross arms occupied by each person shall be plainly marked with the name or initials of such person. [68—54.]

Sec. 363. Taking down of poles.—All poles on which no wires are strung or from which dead or unused wires are suspended shall be taken down and removed by the owner thereof on receipt of a proper notice from the city electrician, and in case such notice is not complied with within ten days from the date of its service, the city electrician shall cause the said pole or poles to be taken down and removed at owner's expense. [68—55.]

ELECTRIC LIGHT AND POWER POLES.

Sec. 364. Dimensions and placing.—The height of poles shall not be less than seven and one-tenth meters, measured from the ground, and they shall not be more than thirty-eight meters apart. Wood poles shall be at least fifteen centimeters in diameter at the top and twenty-five centimeters at the bottom, or the pole may be

squared from above size. Iron poles shall be of such dimensions as shall be approved by the city electrician. [68—56.]

Sec. 365. Cross arms.—Cross arms shall not have more than ten pins, and shall be properly secured and braced where necessary. They shall be at least eighty-three millimeters by eleven centimeters, and if carrying more than eight pins, of such size as the city electrician may direct. Wires must be at least thirty centimeters apart, those next to pole at least fifty centimeters apart. [68—57, 58.]

TELEPHONE AND TELEGRAPH POLES.

Sec. 366. Dimensions and placing.—The height of poles shall be not less than seven and one-tenth meters, measured from the ground, and they shall not be more than thirty-eight meters apart. Wood poles shall be not less than ten centimeters in diameter at top and twenty-five centimeters at the bottom, or the pole may be squared from the above size. Iron poles shall be of such dimensions as shall be approved by the city electrician. [68—59.]

Sec. 367. Cross arms, size.—Cross arms shall be of standard size and thirty-six centimeters apart. The standard cross arms for two pins shall be eighty-three millimeters by eleven centimeters by eighty-six centimeters; for four pins, eighty-three millimeters by eleven centimeters by one and one-half meters. [68—60.]

Sec. 368. Spacing of pins.—No cross arms will be approved with more than ten wires, and all cross arms shall be spaced as follows: Pins next to pole to be fifty centimeters apart; all other pins, fifteen centimeters apart; wood pins to be not less than thirty-two millimeters by twenty-three centimeters; the iron, sixteen-millimeter bolt. [68—61.]

Sec. 369. Bracing and fastening.—All arms shall be braced with iron braces; size of iron, six by twenty-five millimeters, three millimeters by seventy-one centimeters for short arms; for long arms, in proportion. All arms shall be fastened to poles with lag screws thirteen millimeters by twenty centimeters, or sixteen-millimeter bolts; cross-arm braces shall be fastened to arms with carriage bolts ten centimeters by one centimeter, and to poles by lag screws ten centimeters by thirteen millimeters. [68—62.]

Sec. 370. Terminal poles.—All terminal poles shall be double cross-armed. [68—63.]

Sec. 371. Branch arms, etc.—Branch arms shall be used at points where lines leave mains. In putting cross arms on poles, the top arm shall be the distance from top of pole equal to diameter of top pole used; cross arms on one pole must face those on next pole, making the arm on every other pole face in one direction. [68—64.]

Sec. 372. Guard irons.—Where there is a slight turn in the line and it is not necessary to use an additional arm, guard irons shall be used to prevent the wires falling in case they should get off insulator. [68—65.]

CHAPTER 21.

THE SALE AND SUPPLY OF ELECTRICITY¹ AND
TELEPHONE SERVICE.

Sec.

373. List of meters.

374. Charge for installation and use
of meters.

375. Limit of charges.

376. Unfair discrimination prohib-
ited.

Sec.

377. Supply of electricity or service,
time and priority.

378. Settlement of disputed bills.

379. Shutting off electricity.

Sec. 373. List of meters.—Every person supplying electricity shall, on the first day of each quarter, deliver to the city electrician a correct list of all electric meters furnished or used for measuring electricity supplied by him, giving the size and number of each meter and its location. [68—5.]

Sec. 374. Charge for installation and use of meters.—No person supplying electricity shall make any charge for the installation or use of any meter or other measuring device installed by him for measuring the amount of current used by any consumer: *Provided, however,* That the person supplying electricity may fix a minimum charge of not more than four pesos per month, said charge to be in lieu of the meter reading in case the amount shown by the meter reading for one month shall not reach said minimum charge, but not otherwise to be made. [68—9.]

Sec. 375. Limit of charges.—No person engaged in the sale or supply of electrical current shall charge or permit his agents to charge, receive, or collect, or permit, abet, or encourage the charging or receiving of any moneys, or other valuable consideration, for the use of such electrical current so furnished in excess of forty cents for each thousand watts consumed: *Provided,* That in lieu of the above rate, at the option of the consumer, such a flat rate may be charged as the parties may agree upon. [68—10.]

Sec. 376. Unfair discrimination prohibited.—No person supplying electricity or telephone service shall make unfair discrimination in the furnishing of such service between different applicants who apply therefor under the same circumstances and conditions; nor shall any discrimination be made against applicants whose installations are made by other persons than the one supplying the electricity or telephone service. [68—11.]

Sec. 377. Supply of electricity or service, time and priority.—No person supplying electricity or telephone service shall fail to supply such electricity or service to any applicant for the same within fifteen days after the date of his application, such electricity or

¹ **Sale and supply of electricity.**—Under general welfare clause of Manila Charter, Municipal Board empowered to provide reasonable regulations governing: 1 Op. Atty.-Gen., 508.

service to be supplied in the order of priority of application, up to the limit of the capacity of such person's plant, to be determined by the city electrician on the application of such person or such applicant: *Provided*, That the point at which the electricity or service is to be supplied is not more than ninety meters from any street or other public place upon or along which any conductor or line is maintained or used by such person: *And provided further*, That where such point is more than thirty meters from any such street or other public place in the case of electricity the applicant shall agree in writing to pay for sufficient electricity to operate ten sixteen-candlepower incandescent lamps, from seven o'clock until midnight during each night, or the equivalent thereof in other sized lamps or power, during the first year of such supply. [68—12.]

Sec. 378. Settlement of disputed bills.—Upon the application of any consumer for an inspection and test of the meter through which electricity is supplied to him, he shall deposit with the city assessor and collector the sum of ten pesos, together with the amount of the disputed bill, and take a receipt therefor. The city electrician shall thereupon notify the person supplying the electricity measured by such meter to disconnect said meter and remove the same to the office of the city electrician within five days after the receipt of such notice, and to place in its stead another meter bearing the certificate of the city electrician. The person so notified shall comply with the direction of such notice within the said period. Should the city electrician desire to be present in person, or by an assistant, at the time of disconnecting said meter, he shall fix the hour thereof in said notice between eight o'clock antemeridian and five o'clock postmeridian on one of the said five days, at which hour a representative of the said person shall meet the city electrician with a meter certified correct to be put in place of the one to be removed.

Should the city electrician find such removed meter correct, the city assessor and collector shall, after deducting the cost of the inspection and test, pay the balance of the ten pesos and the amount of the disputed bill deposited by the consumer to the said person supplying the electricity and take a receipt therefor; but should said meter be found to be incorrect, the city electrician shall ascertain the true amount of the disputed bill and the city assessor and collector after deducting the cost of the inspection and test from the amount thus found to be due shall pay the balance to the person supplying the electricity, returning the deposit of ten pesos to the consumer and furnishing to the person supplying the electricity and to the consumer certificates of the inspection and test. [68—6.]

Sec. 379. Shutting off electricity.—No person supplying electricity shall cut or shut the same off from a consumer because of any dispute as to the correctness of any bill for electricity due from

any such consumer to any such person, pending the inspection and test by the city electrician, for the time, not exceeding one month, during which said meter has been used. No person supplying electricity shall cut or shut off the current from any consumer so long as such consumer shall comply with all lawful requirements, or without at least two days' notice in writing to such consumer, stating the reason for such action: *Provided*, That such consumer shall deposit the amount of any disputed bill with the city assessor and collector and apply for an inspection and test of his meter within five days after the receipt by him of the disputed bill for electricity, and the city electrician shall inspect said meter within five days thereafter; and nothing in this section shall be construed as prohibiting any such person from cutting or shutting off the supply of electricity when a consumer is in arrears in the payment of any bill therefor for fifteen days. [68—7.]

CHAPTER 22.

THE OPERATION AND SERVICE OF STREET RAILWAYS.

OWNERS' OBLIGATIONS.

- Sec.
 380. Preliminary requirements.
 381. Guarding platforms and raising running boards.
 382. Safety guards and fenders.
 383. Neglect or refusal in complying; penalty.
 384. Watchmen.
 385. Cars not to be moved unless watchman signals; penalty.
 386. Headlights.
 387. Signs indicating routes.
 388. Failure to provide signs; penalty.
 389. Cars attached together.
 390. Cars receiving or discharging passengers, speed.
 391. Speed of cars.
 392. Condition of cars; penalty.
 393. Expectoration and placing of feet; notice of; penalty.

EMPLOYEES' OBLIGATIONS.*

394. Prevention of injury to persons and property.
 395. Running foul of persons and vehicles; orders of police.

Sec.

396. Watch for teams, persons, etc.; striking gongs.
 397. Gong, rung, when.
 398. Distance between cars.
 399. Stopping of cars.
 400. Car, where stopped.
 401. Passing railway crossings.
 402. Conductors' duties.
 403. Transfers on certain lines; penalty.
 404. Objectionable bundles brought on cars; penalty.
 405. Women, children, etc. leaving cars in motion.
 406. Employees smoking on cars.

PASSENGERS' OBLIGATIONS.

407. Intention of becoming passenger.
 408. Dogs, gamecocks, etc.
 409. Passengers desiring to leave cars.
 410. Leaving cars on left side; penalty.
 411. Use of transfers by persons other than to whom given; penalty.
 412. Other unlawful uses of transfers; penalty.

OWNERS' OBLIGATIONS.

Sec. 380. Preliminary requirements.—Every person, firm, or corporation owning, maintaining, or operating, or employed in the maintenance or operation of, and every person riding or who is a passenger upon, any street railway in or upon any street within the corporate limits of the city of Manila, shall be subject to the conditions, rules, regulations, requirements, and provisions of this chapter. [81—1.]

Sec. 381. Guarding platforms and raising running boards.—Every street railway company in the city of Manila shall so inclose and guard the platforms and raise the running boards of open cars on the side next to the cars running in the opposite direction, of each car operated and run by any such company within the limits of the city, as to prevent passengers getting off or on such platforms or running boards of open cars from the danger side. [81—3.]

Sec. 382. Safety guards and fenders.—It shall be unlawful for any passenger street railway company, propelling its cars by electricity, to run the same through the streets and avenues of the city of Manila, unless each car is provided with a safety guard or fender of the most approved and successful pattern and construction, which shall be placed in such a way as to protect life and limb of any person who may come into contact with said car. The style or kind of safety guard or fender proposed to be used by such companies shall previously be submitted to the Municipal Board for its approval. [81—10.]

Sec. 383. Neglect or refusal in complying; penalty.—The owners, or said street railway companies, in case of neglect or refusal of said companies to comply with the provisions of the last preceding section within the time specified by the Municipal Board, shall be subject to a fine of twenty pesos for each trip run by any of its cars not so equipped. [81—11.]

Sec. 384. Watchmen.—One or more watchmen shall be employed at the expense of the corporation, firm, or person using street railway tracks, or operating any street railway or other railway within the city, to be stationed at the intersection of the Escolta and Bridge of Spain, from seven o'clock antemeridian, until eight o'clock postmeridian, daily, whose duty it shall be to warn all persons about to cross the street railway track at such crossing of the approach of any street car or cars. [81—12.]

Sec. 385. Cars not to be moved unless watchman signals; penalty.—No conductor, motorman, or person in charge of any car or train of cars shall move or allow to be moved or assist in moving any car or train of cars over or upon the street or bridge at the crossing of which, under the provisions of the last preceding section, a watchman is required to be stationed, unless there is stationed and present a watchman at such crossing, and unless said watchman

signals or otherwise notifies said conductor, motorman, or other person in charge of said car or train of cars to take said car upon or over said crossing. Violation of the provisions of this section or of the last preceding section shall constitute a misdemeanor and shall be punished by a fine of not more than one hundred pesos. Each day said cars are run in violation of any of the provisions of said sections shall constitute a separate and distinct offense. [81—13.]

Sec. 386. Headlights.—No car shall be run between sunset and sunrise without a headlight on the front end thereof; and such light shall be so placed that it can be readily seen for a distance of at least three blocks. [81—22.]

Sec. 387. Signs indicating routes.—Every street car, for the convenience of passengers, shall be distinctly numbered both inside and outside, and shall be provided with signs of large plain letters at the front and rear, of a size sufficient to be easily read at a distance of not less than thirty meters, to indicate the streets or routes upon which the same shall run; and in the night, every car is hereby required to be furnished and equipped with an illuminated sign designating, in letters of a size to be plainly read at a distance of not less than thirty meters, the said route of the same. [81—23.]

Sec. 388. Failure to provide signs; penalty.—Any conductor or motorman having charge or control of any street railway car in the said city, and any manager, superintendent, or president of any street railway company, owning a car not equipped with an illuminated sign, designation, or letters, as in the last preceding section provided, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than twenty pesos nor more than fifty pesos; and each time such car is run on any trip within the city without such illuminated sign or designation, or letters, or any of them, shall be considered a separate and distinct offense. [81—24.]

Sec. 389. Cars attached together.—No more than two cars attached together, one of which shall be the motor car, shall be run on any street railway, except by specific written permission of the Municipal Board. [81—25.]

Sec. 390. Cars receiving or discharging passengers, speed.—No car, in passing another car while stopping or standing to receive or discharge passengers, shall be propelled at a speed faster than a walk. [81—20.]

Sec. 391. Speed of cars.—It shall be unlawful for any street car to be drawn at a greater speed than twelve miles per hour within the corporate limits of said city; but on the streets within the Walled City, the Escolta and Calles Rosario, Binondo, and Nozaleda, the maximum speed shall be six miles per hour. [81—29.]

Sec. 392. Condition of cars; penalty.—Every street railway car shall be kept in a cleanly condition and neatly painted. The owners

of such car, in case of neglect or refusal to comply with the provisions of this section, shall be subject to a fine of ten pesos per day for each day that a car runs in violation of same. [81—31.]

Sec. 393. Expectoration and placing of feet; notice of; penalty.—No person shall spit or expectorate on the floor, sides, or steps of any car, or place feet upon the seat or back. Notice of this provision shall be conspicuously placed in each and every car. Violation of this section shall be punished by a fine of not more than ten pesos. [81—32.]

EMPLOYEES' OBLIGATIONS.

Sec. 394. Prevention of injury to persons and property.—The conductors, motormen, and employees of any street railway company shall use all reasonable care and diligence to prevent injury to persons and property, and on the appearance of danger to any person, or any property on or near the track, the said car shall be stopped. All proper care should be used by such conductors, motormen, and employees to prevent injury to teams, wagons, carriages, and other vehicles. [81—7.]

Sec. 395. Running foul of persons and vehicles; orders of police.—No person having the control of a street railway car shall negligently allow it to go against or run afoul of any person, vehicle, or other thing whatsoever; nor shall any such person fail to stop his car at any place in a street when directed by a police officer. [81—5.]

Sec. 396. Watch for teams, persons, etc.; striking gongs.—No person having the control of a street railway car shall fail to keep a vigilant watch for all teams, carriages, and persons, especially children and aged people, nor shall such person fail to strike a gong several times in quick succession, reducing the speed of the car at the same time, on approaching any team, carriage, or person on or about to cross the track. [81—6.]

Sec. 397. Gong, rung, when.—Every street railway car shall be provided with a gong. It shall be the duty of every motorman or other person operating a street railway car to cause such gong to be struck or rung at least eighteen meters before said car shall approach any street crossing within the corporate limits of said city, and said gong shall be struck or rung at intervals of not more than two seconds until said car shall have crossed the center line of the intersecting street. [81—8.]

Sec. 398. Distance between cars.—It shall be unlawful for those having charge of any street railway car to run a car nearer the car ahead than six car lengths, and when running at speed, a space not less than sixty meters must be maintained between cars, except when closing up on turn-outs, or at stations or terminal, or on the Escolta, where the distance between cars shall not be less than two car lengths. [81—30.]

Sec. 399. Stopping of cars.—It shall be the duty of every motor-

man or other servant running any car to bring his car to a full stop at the corners of the streets and regular stopping places as in this chapter provided, whenever requested, signaled, or motioned by any person standing on such appropriate corner desiring to board such car, or by the conductors on such cars, or whenever so requested, signaled, or ordered by the conductor to so stop to take on or leave off passengers, and in every such instance such cars shall remain stationary for a sufficient length of time to enable such passengers safely to board or leave the same. [81—18.]

Sec. 400. Car, where stopped.—When the person in charge of any car or cars is required to stop such car to let off or receive passengers, he shall stop such car so as to leave the rear platform of the car or cars slightly over the street crossing or the line of regular stopping place. [81—19.]

Sec. 401. Passing railway crossings.—It is made the duty of every motorman of an electric car within the city of Manila, before passing over a railway crossing with such car, to cause the same to come to a standstill at least six meters away from such crossing, and it shall then be the duty of the conductor of such car to pass in front of the same a sufficient distance to enable him to ascertain whether there is any danger in sight, and before said car is again placed in motion before crossing a railway crossing. [81—9.]

Sec. 402. Conductors' duties.—A conductor shall be employed on each and every car carrying passengers. All conductors on cars shall be required to call the attention of any passenger to any violation by such passengers of any provision of this chapter. [81—26.]

Sec. 403. Transfers on certain lines; penalty.—Notwithstanding the provisions of section four hundred and twelve hereof, when running north, conductors on Tondo and Malabon cars shall accept custom-house and Tondo transfers; conductors on custom-house cars shall accept Tondo and custom-house transfers; when running south on Bagumbayan, conductors on Malate and Pasay cars shall accept Marcelino transfers; and conductors on Marcelino cars shall accept Malate and Pasay transfers from passengers going to the City Hall. Any conductor violating any provision of this section shall be punished by a fine of from five to twenty pesos. [81—36.]

Sec. 404. Objectionable bundles brought on cars; penalty.—No conductor shall permit any passenger to carry upon any car any objectionable bundle. Any person who, after having been notified by any conductor to remove an objectionable bundle from the car, shall persist in keeping the same thereon shall be subject to a fine of not more than ten pesos. [81—28.]

Sec. 405. Women, children, etc., leaving cars in motion.—Conductors shall not allow aged or infirm persons, women, or children to leave or enter any car while the same is in motion. [81—4.]

Sec. 406. Employees smoking on cars.—No conductor, motorman, or inspector, in uniform, shall smoke on any car. [81—27.]

PASSENGERS' OBLIGATIONS.

Sec. 407. Intention of becoming passenger.—No person shall ride upon any car, or board or leave the same, without being or intending to become a passenger. [81—2.]

Sec. 408. Dogs, game cocks, etc.—Dogs and other animals shall not be allowed on the cars. Passengers carrying game cocks shall be restricted to the use of the second-class compartment. [81—37.]

Sec. 409. Passengers desiring to leave cars.—No passenger on any car shall pull any bell cord or in any other way ring any bell on said car for the purpose of causing the motorman to stop said car; but any passenger desiring to leave the car shall notify the conductor to stop said car; it shall then be the duty of said motorman to stop said car at the corner of the street or at the first regular stopping place as aforesaid. [81—18.]

Sec. 410. Leaving cars on left side; penalty.—No passenger on any car of any street railway shall enter or leave such car except on the left side of same. Any person violating this provision may be punished by a fine of not more than twenty pesos. This provision shall not apply to the Malabon line to the north of the Pretil Bridge. [81—33.]

Sec. 411. Use of transfers by persons other than to whom given; penalty.—No person other than a passenger to whom a transfer has been lawfully delivered by a conductor or other employee of a street railway in the discharge of his duty shall use or attempt to use the same for the purpose of securing transportation on any street car. Any violation of this section shall be punished by a fine of from five to twenty-five pesos. [81—34.]

Sec. 412. Other unlawful uses of transfers; penalty.—It shall be unlawful for any person to use a transfer upon any line other than that to which the transfer entitles the passenger holding the same to use it, and it shall be unlawful to use the said transfers except upon the first car passing the transfer point after the passenger shall have secured the transfer and disembarked at the transfer point. No passenger shall have a right to ride upon a transfer at any other time than that which the transfer entitles him to. Any violation of this section shall be a misdemeanor and punishable by a fine of from five to twenty pesos. [81—35.]

TITLE 7.

FIRES, AND THE PREVENTION OF.

Chap.

23. Theaters and other quasi-public buildings.

Chap.

24. Explosives and combustibles, storing of.

25. Other measures against fire.

CHAPTER 23.

THEATERS AND OTHER QUASI-PUBLIC BUILDINGS.

Sec.

413. Construction of theaters and certain other buildings.

414. Duty of managers.

415. Apparatus for fire purposes.

416. Aisles, stairways, etc., kept open and clear.

417. Smoking, when permitted.

418. "Exit" and "Salida" signs over exits; diagrams on programs.

Sec.

419. Detail of firemen.

420. Churches, area, spires, and general construction.

421. Assembly halls, frontage.

422. Stairways.

423. Aisles, lobbies, entrances, etc.

424. Hotels, fireproof construction, fire escapes, etc.

Sec. 413. Construction of theaters and certain other buildings.—

Every building constructed or altered to contain an assembly or audience hall of a seating capacity of eight hundred or more, excepting buildings used solely for public worship, and every theater or building used for theatrical or operatic purposes or for public or other gatherings in which stage scenery is employed shall be constructed in accordance with the following provisions:

(a) **Frontage on streets:** It shall have at least one frontage on a public street and shall have an entrance and exit on such street.

(b) **Number of exits:** Every theater accommodating three hundred persons shall have at least two exits, and every theater accommodating five hundred or more persons at least three exits.

(c) **Exits, audience halls and galleries:** The audience hall and each gallery shall have at least two exits, which shall be as far apart as possible. Every exit shall have a width of at least fifty centimeters per one hundred persons accommodated, and no exit shall have a width less than one meter.

(d) **Doors:** All doors shall open outwardly and shall be so arranged as not to reduce the width of the passage.

(e) **Lobbies:** Each division of the auditorium shall have an adjoining lobby of sufficient size to furnish standing room for as many persons as the division can accommodate.

(f) **Stairways:** Stairways shall have handrails on each side firmly secured to strong supports or to the walls. There shall be no flight of more than twenty steps, and no step shall be less than one and one-half meters long in the clear. Such steps shall have a rise not greater than nineteen centimeters nor a tread less than twenty-five centimeters.

(g) **Fire walls:** There shall be a fire wall of brick between the stage and the auditorium, which shall extend at least one meter above the roof. The proscenium arch shall be the only opening in said wall above the level of the stage, and all openings through this wall below the stage level shall be provided with self-closing doors covered with sheet iron. The material above the proscenium arch shall be supported by iron or steel girders covered with fireproof material. In the brickwork over girders there shall be a relieving arch to assist in supporting the imposed weight.

(h) **Curtains:** Curtains shall be hung not nearer to the footlights than one meter.

(i) **Fireproof curtains:** The proscenium opening shall be provided, in addition to the stage curtain, with a metal fireproof curtain of asbestos or other fireproof material sliding at each end in grooves securely fastened to the masonry wall and extending into such grooves to a depth of not less than fifteen centimeters. The fireproof curtain may, however, be furnished with steel cable guides not less than seven millimeters in diameter: *Provided*, That such curtain laps over the stage opening at the sides and top for a distance of not less than thirty centimeters and that attached to said curtain at the top and bottom, to the full width thereof, shall be wrought-iron or steel pipe of a diameter of not less than three and five-tenths centimeters. The fireproof curtain shall be raised and lowered between acts, during intermission, and at the close of each performance, and shall remain lowered until the beginning of the next performance, except during rehearsals. The curtain shall be hung not nearer to the footlights than seventy-five centimeters.

(j) **Seats:** All seats except those in the boxes shall be firmly fastened to the floor, and no seat in the auditorium shall have more than six seats intervening between it and the aisles. Seats shall be not less than eighty centimeters from back to back, nor less than fifty-five centimeters in width.

(k) **Aisles:** Aisles and passageways shall be at least one meter wide at the narrowest point and shall increase in width toward the point of exit at least two centimeters for each meter of length. The grade of aisles shall not be greater than fifteen centimeters vertical per one meter horizontal.

(*l*) **Ventilator shafts and skylights:** A ventilator shaft, of sufficient capacity, lined with fireproof material shall be placed over the center of the stage and shall extend at least one meter above the roof. The roof over the stage shall be provided with skylights of an area equal to one-fourth of the stage area, and said skylights shall be so arranged as to open automatically in case of fire.

(*m*) **Floors:** Floors shall be of sufficient strength to support an imposed weight of five hundred and eighty kilograms per square meter.

(*n*) **Steam boilers:** No steam boiler shall be located under the auditorium or stage.

(*o*) **Water pipe:** Every theater shall be equipped with at least one line of standard two-inch cast-iron or galvanized-iron water pipe, leading directly from the street main, and provided with the standard coupling of the fire department. Such water pipe shall be ready for immediate use at any time during the performance in said building.

(*p*) **Electric circuits:** Assembly halls and theaters lighted by electric light only shall have at least three separate and distinct circuits, one for the stage and two for the auditorium, corridors, and exits. These last two shall be so arranged that one-half of the lights in each division shall be on separate circuits, which shall be complete metallic circuits.

(*q*) **Fire apparatus under control of chief of fire department:** Electric wires, footlights, and all apparatus for extinguishing fires or guarding against the same shall be in charge of and under the control of the fire department, and the chief of said department, in connection with the city engineer, is directed to see that arrangements in respect thereto are carried out and enforced. [78—156.]

Sec. 414. Duty of managers.—No manager or other person shall use, or assist in or countenance the use of, any theater, hall, or other building for theatrical purposes, or for public entertainment of any kind where stage scenery and apparatus are employed, the center or main aisle of which, from the stage to the main exit, is less than one meter and forty centimeters wide, or any other aisle of which is less than the width provided in subsection (*k*) of the last preceding section, and the size of the exits of which, and the number and disposition of the aisles and exits of which, have not been approved in writing by the chief of the fire department. [40—1.]

Sec. 415. Apparatus for fire purposes.—Every manager or other person using any such building shall keep and maintain in good condition therein two barrels full of water, four buckets, one axe, one fire hook at least six meters long, one fire hook at least four meters long, two hand extinguishers, and any other apparatus deemed necessary and approved in writing as to location, strength, and capacity by the chief of the fire department, and the same shall be used for no other than fire purposes. [93—204.]

Sec. 416. Aisles, stairways, etc., kept open and clear.—Every manager or other person using any such building shall, at all times during performances or when such building is open to the public, keep every aisle, passageway, exit, entrance, and stairway open and clear of temporary seats or other obstructions and all doors and gates in or of every such aisle, passageway, exit, entrance, and stairway, unlocked and unfastened so that they will open freely, and no person shall stand or remain in any such aisle, passageway, exit, entrance, or stairway during performances or while such building is so open. [93—205.]

Sec. 417. Smoking, when permitted.—No manager or other person using any such building shall allow smoking nor shall any person smoke on the stage thereof during performances or when such building is open to the public, except when such smoking is required by the action of the play, nor shall any person smoke or any such manager or other person using such building allow smoking in the auditorium of such building during performances or when such building is open to the public, except when such auditorium is fireproof and a written certificate to that effect and a permit for smoking therein has been issued to such manager or other person by the chief of the fire department. [93—206.]

Sec. 418. "Exit" and "Salida" signs over exits; diagrams on programs.—Every manager or other person using any such building shall place conspicuously a sign over each exit thereof and index signs in such localities as the chief of the fire department may direct, upon which shall be plainly painted or printed in letters not less than fifteen centimeters in height the words "EXIT" and "SALIDA;" and shall print on every program used or prepared or distributed for use in any such building a clear diagram or plan of such building on which every outlet shall be plainly shown and marked "EXIT" and "SALIDA." [78—156 (b); 93—207.]

Sec. 419. Detail of firemen.—Every manager or other person using any such building shall at all times freely admit a detail from the fire department, of one or more firemen, in every building used as a theater or place of public amusement, whenever the same shall be necessary in the discretion of the chief of the fire department, for the purpose of assisting in case of fire or in enforcing the provisions of this chapter. [40—6.]

Sec. 420. Churches, area, spires, and general construction.—Churches of timber frame or wooden construction shall not exceed five hundred square meters in area. Every nonfireproof spire or dome shall be separated from any other building by a distance of six meters. In case a building shall later be constructed within six meters of said spire or dome, the spire or dome shall be removed. The construction of churches shall conform to the provisions of this title and of title three hereof and also to the requirements for public assembly halls provided for in the next three succeeding sections. [78—150.]

Sec. 421. Assembly halls, frontage.—Assembly halls or buildings with a seating capacity of three hundred to eight hundred shall have a frontage upon two open spaces, of which at least one shall be a public street and of which the other, if it be not on such a street, shall be a public or private alley or sidewalk not less than three meters in width. Assembly halls of a greater capacity than eight hundred shall face on at least three open spaces. [78—151.]

Sec. 422. Stairways.—Every hall not on the ground floor, of a seating capacity of from three hundred to eight hundred, shall have at least two separate and distinct stairways for entrance and exit, located as far apart as possible, and every hall having a seating capacity of more than eight hundred shall have at least three separate and distinct stairways. [78—152.]

Sec. 423. Aisles, lobbies, entrances, etc.—The width of aisles, passageways, lobbies, stairways, entrances, and doors in assembly halls shall be apportioned and constructed in the same manner as prescribed for theaters in section four hundred and thirteen hereof. [78—153.]

Sec. 424. Hotels, fireproof construction, fire escapes, etc.—Any building erected as a hotel for the accommodation of transient guests and containing more than fifty sleeping rooms shall be of steel skeleton fireproof construction. Hotel buildings containing less than fifty sleeping rooms above the ground floor shall not exceed three stories in height if of nonfireproof construction. In every new fireproof hotel building the stair halls shall be inclosed on all sides with walls of solid masonry. The hallways and staircases shall be of a width not less than one and one-half meters. There shall be at least two separate and distinct stairways, and, in addition thereto, a fire escape of noncombustible material leading to the open street or courtway shall be provided. [78—154.]

CHAPTER 24.

EXPLOSIVES AND COMBUSTIBLES, STORING OF.

Sec.	Sec.
425. How and where preserved.	428. Vessels carrying explosives, landing of.
426. Maintenance; permits for repairs, etc.	429. Inspections, reports, and recommendations by chief of fire department.
427. Construction of buildings for inflammables.	430. Penalty; revocation of license.

Sec. 425. How and where preserved.—The explosive or combustible materials by section four hundred and ninety-three hereof permitted to be had, kept, or stored under the license by chapter thirty-nine hereof provided shall be securely preserved in cans, cases, canisters, patent boxes or kegs, or other appliances, which shall

be inspected and approved by the chief of the fire department, and shall be kept in a situation remote from fires, lighted lamps, candles, gas, or other inflammable matter, from which the same may be easily removed in case of fire. [93—79.]

Sec. 426. Maintenance; permits for repairs, etc.—Every establishment where the said materials are permitted by license to be had, kept, or stored shall be kept clean and wholesome, and shall be so conducted as not to be prejudicial to lives or property. Every such establishment shall observe all safe rules for the handling of the articles stored. No repairs to such establishment or premises, or improvements or additions thereto, shall be made or undertaken without a permit from the chief of the fire department to that effect. [93—80.]

Sec. 427. Construction of buildings for inflammables.—Buildings erected, designed, or used for the storage or sale of petroleum, benzine, camphene, spirit gas, burning fluid, spirits of turpentine, and other like materials exceeding in quantity five barrels of fifty gallons each, or in which the compounding or refining of petroleum or inflammables of like nature is carried on, shall be located at least thirty meters from any other building, and shall be constructed as follows: The walls shall be of masonry not less than fifteen centimeters thick and four meters in height. The floor shall be of fire-proof materials. The roof shall be of metal or other fireproof material and shall have walls fifty centimeters in height around the whole building. All doors and windows shall be provided with fireproof shutters or with metal-covered scuttles or automatic ventilating skylights. [78—157.]

Sec. 428. Vessels carrying explosives, landing of.—No vessel carrying any highly explosive or combustible material, other than fuel for use on such vessel, shall land or make fast, and no person shall cause, direct, or assist any such vessel to land or make fast, to any dock or wharf, except at such places as shall have been designated for that purpose in a written permit issued by the Collector of Customs and approved by the chief of the fire department. [93—83.]

Sec. 429. Inspections, reports, and recommendations by chief of fire department.—The chief of the fire department shall make inspection, from time to time, of the establishments required to be licensed, and shall report all violations of this chapter and of chapter thirty-nine hereof to the Municipal Board, and make such recommendations to said Board in regard thereto as he shall deem proper. [93—84.]

Sec. 430. Penalty; revocation of license.—Violations of any provision or part thereof of this chapter and of chapter thirty-nine hereof shall be punished as in this ordinance provided, and in addition thereto any license granted to the person so violating the same may be revoked. [93—86.]

CHAPTER 25.

OTHER MEASURES AGAINST FIRE.

Sec.

431. The drying rooms of factories.

432. Chimneys.

Sec.

433. Smokestacks.

434. Disconnection of electric wires.

Sec. 431. The drying rooms of factories.—No room shall be used for drying in any tobacco or other factory, nor shall a high temperature be maintained by any form of artificial heat in any room in any such factory, unless the floor, walls, and ceiling of such room shall be constructed of fireproof material approved by the chief of the fire department. [33—1.]

Sec. 432. Chimneys.—In the district of strong materials every kitchen and other place where fires are kept shall be provided with a suitable chimney of sheet iron or other incombustible material with a conical spark arrester. Such a chimney shall be properly supported, shall have a height of not less than one meter above the eaves of any building within a distance of ten meters, and shall be at least twenty centimeters from any exposed woodwork. At the point of leaving the building the intervening space shall be filled by sheet iron, brickwork, or other incombustible material. Where open fires are used kitchens shall be provided with suitable smoke hoods and flues. [78—91.]

Sec. 433. Smokestacks.—Smokestacks of brick or masonry may be constructed to a height not greater than fourteen meters. Higher stacks shall be of steel. Smokestacks shall be provided with spark arresters, and shall be secured so as to withstand a wind pressure of two hundred kilograms per square meter, with a factor of safety of four. All smokestacks shall have a height of at least five meters above the eaves of any building within a distance of fifty meters and shall be at least one meter from any exposed woodwork. [78—92.]

Sec. 434. Disconnection of electric wires.—Every person maintaining or using any system of supplying electricity shall immediately shut off the current from the whole or any part of said system in time of fire at the direction of the chief of the fire department or any person acting under him, and the chief of the fire department or any person acting under him shall have power in time of fire to disconnect such electric current or service and remove such electric wires and apparatus as he may deem necessary. [68—14.]

TITLE 8.

LICENSES AND PERMITS.¹

Chap.

- 26. Licenses generally.
- 27. Permits generally.
- 28. Advertising agents.
- 29. Auctioneers.
- 30. Barbers.
- 31. Billiard and pool tables.
- 32. Boarding stables.
- 33. Bowling alleys.
- 34. Clubs.
- 35. Dance halls.
- 36. Detective agencies.
- 37. Dogs.
- 38. Embalmers.
- 39. Establishments for the storage of explosives and combustibles.
- 40. Ferries.
- 41. Food and drink, sale of.
- 42. Fortune tellers, jugglers, and acrobats.
- 43. Hawkers, peddlers, and hucksters.
- 44. Hotels, lodging and boarding houses.

Chap.

- 45. Laundries and dyeing and cleaning establishments.
- 46. Livery stables.
- 47. Mercantile and collecting agencies.
- 48. Merry-go-rounds.
- 49. Offensive and dangerous businesses.
- 50. Parades.
- 51. Pawnbrokers.
- 52. Plumbers.
- 53. Public vehicles.
- 54. Race tracks and horse racing.
- 55. Restaurants and cafés.
- 56. Second-hand dealers and keepers of junks shops.
- 57. Shipping and intelligence offices.
- 58. Shooting galleries.
- 59. Slot machines.
- 60. Tattooers.
- 61. Theaters.
- 62. Warehouses.

CHAPTER 26.

LICENSES GENERALLY.

Sec.

- 435. "Person" construed.
- 436. Licenses necessary.
- 437. Issuance by city-assessor and collector.
- 438. Record.
- 439. Applications, contents of; false statements.
- 440. Time of making applications, investigations.
- 441. Term.
- 442. Contents.

Sec.

- 443. Separate licenses for different businesses and locations.
- 444. Licenses refused, whom.
- 445. Posting; surrender.
- 446. Duplicate licenses.
- 447. Transfers.
- 448. Expiration; renewal.
- 449. Rebates.
- 450. Sanitary requirements.
- 451. Penalties.

¹ **Application of title.**—This title also concerns the regulation of certain trades, occupations, and callings.

Liquor selling.—For provisions as to licenses for, see p. 83.

Table of fees.—As alphabetically arranged by business, trade, or profession, see Appendix A.

Sec. 435. "Person" construed.—Wherever the word "person" is used in this title it is understood to include firms, business houses, or corporations. [93—2.]

Sec. 436. Licenses necessary.—It shall be unlawful for any person to conduct or engage in any business, trade, or profession or calling, or have in his possession any of the articles required by this title to be licensed, without first having obtained the license so required. [93—3.]

Sec. 437. Issuance by city assessor and collector.—Each and every license, authorized and required by this title, shall be granted and issued, from time to time, to such person or persons as may be entitled thereto by the city assessor and collector, upon payment, in advance, to him, without demand, of the license fee or tax by this title provided to be paid for such license, for the entire period during which said license is to run, and not otherwise. [93—4.]

Sec. 438. Record.—The city assessor and collector shall keep full record of all licenses issued by him under this title. [93—5.]

Sec. 439. Applications, contents of; false statements.—Written applications, on forms prepared for that purpose, must be made to the city assessor and collector for all licenses provided for in this title, except licenses for hawkers, hucksters, peddlers, fortune tellers, acrobats, horse races, and the keeping of dogs. Said applications shall set forth the name and residence of the applicant, a full description of the business, the place where same is to be conducted, and such other information as may be required by the city assessor and collector. If a person applying for a license shall make any false statement in regard to his business, with intent thereby to procure a license at less rates than those provided for, he may be prosecuted therefor, and in addition his license may be revoked. [93—6.]

Sec. 440. Time of making applications, investigations.—Applications for new licenses and for renewals of old licenses must be made sufficiently in advance of the time it is desired to commence the business covered by such new license, or of the date on which the old license must be renewed, to allow proper investigation as to the character of the applicant and suitability of place. [93—7.]

Sec. 441. Term.—Every license granted by virtue of this title shall run from the date of issue thereof, and shall continue for the term in this chapter provided, unless otherwise determined. No license shall be granted for a period of more than one year. In all cases herein, where a term of one year is provided, the city assessor and collector is authorized to issue such licenses for periods less than one year to persons holding another license, in order that all licenses held by any one person shall expire on the same date. If from time to time it should be deemed expedient to have similar licenses or permits expire on a fixed date, the city assessor and collector may, upon written authorization of the Municipal Board, issue any licenses or permits provided for in this title for less than

regular periods, and at proportionate fees, to accomplish such results. Except as otherwise provided in this section, no license shall be granted for a less term than that provided in this title. [93—8.]

Sec. 442. Contents.—Every license issued in accordance with this title shall designate the number and kind of license, the date of issue and expiration, the name and residence of the licensee and a sufficient description of the business and the place where same is to be carried on. It shall also contain suitable excerpts from this ordinance relating to posting, renewal, transfer, and revocation of such licenses. [93—9.]

Sec. 443. Separate licenses for different businesses and locations.—No person shall conduct more than one kind of business requiring a license, or conduct business at more than one place during the term of license, without obtaining a separate license for each business and place of business so licensed. All licenses shall be strictly limited to the time, place, and person or thing named therein. [93—10.]

Sec. 444. Licenses refused, whom.—License may be refused to any person who has violated any ordinance or regulation relating to a license previously granted. A license shall not be granted to any person who has failed to pay, upon demand, the fee for a business previously conducted and not licensed, or failed to pay any fine, penalty, tax, or other debt or liability to the municipal or Insular Government, and if so granted, the license may be revoked upon discovery of such indebtedness. [93—11.]

Sec. 445. Posting; surrender.—Every person holding a license shall keep it posted at all times while in force in a conspicuous position in the place where the business is carried on. He shall produce and surrender the license when revoked, or when same has expired, when applying for a renewal or transfer, and when requested so to do by any officer thereunto authorized. [93—12.]

Sec. 446. Duplicate licenses.—The city assessor and collector may, upon satisfactory proof that the original has been lost or stolen, issue a duplicate license, at his discretion, upon payment to him of a fee of fifty centavos. [93—13.]

Sec. 447. Transfers.—No license shall be assigned or transferred from one person to another, or authorize any other business, or authorize the business to be conducted at any other place than that named in the original license, except upon written authority of the city assessor and collector, who is authorized to transfer licenses from one person to another, or from one place to another upon payment to him of fifty centavos. No transfer shall be made which involves the addition of privileges. In cases of transfers, as in this section provided, the old license shall be surrendered and a new one given in its place for the unexpired term of said old license, and said new license shall be subject to all the regulations and requirements as applied to the former. [93—14.]

Sec. 448. Expiration; renewal.—Every license shall cease to be in force upon the expiration of the term thereof, or upon its revocation, and it shall be unlawful for any person holding such license to conduct or continue the business, trade, or profession so licensed without renewing said license. [93—15.]

Sec. 449. Rebates.—Unless otherwise specifically authorized in this title, no licensee shall be entitled to any rebate, repayment, or refund of the sum paid for any license, or any part thereof, by reason of discontinuance, abandonment, or change of business, trade, occupation, or thing so licensed, or the revocation or suspension of the said license, or other termination of the same before the due expiration thereof. [93—16.]

Sec. 450. Sanitary requirements.—No license issued under the provisions of this title shall be construed as relieving the person or persons to whom it is issued, or any business, occupation, premises, house, store, tienda, or other place affected by it, from any requirement of title eleven hereof. [93—2.]

Sec. 451. Penalties.—Any person licensed under this title who shall violate any of its provisions shall be liable to be proceeded against for the fine or penalty imposed by this ordinance, and the license may be revoked. But the conviction and punishment of any person for transacting any business enumerated in this title without a license shall not excuse or exempt such person from the payment of any license fee or tax or any fine due and unpaid at the time of such conviction. [93—17.]

CHAPTER 27.

PERMITS GENERALLY.

Sec.	Sec.
452. Permits necessary.	456. Duplicate permits.
453. Applications, issuance, terms, and renewals.	457. Expiration; renewal.
454. Record.	458. Posting; surrender.
455. Contents; limitations.	459. Penalties.

Sec. 452. Permits necessary.—It shall be unlawful for any person to conduct or engage in any business, trade, profession, or calling, or have in his possession any of the articles for which a permit is required to be had by this title, without first having obtained such permit in the manner in this chapter provided. [93—18.]

Sec. 453. Applications, issuance, terms, and renewals.—Permits shall be applied for, granted, and issued in the manner provided for the application for granting and issuance of licenses, and in all

cases shall run for the period of one year from the date of issue. Permits may be renewed in the same manner as renewals of licenses. [93—19.]

Sec. 454. Record.—The city assessor and collector shall keep a record of all permits issued by him. [93—20.]

Sec. 455. Contents; limitations.—Every permit issued in accordance with this chapter shall designate the number of said permit, the date of issue and expiration, the name and residence of the person or persons to whom issued, and a sufficient description of the business and the place where same is to be carried on. No person shall conduct more than one kind of business requiring a permit, or conduct business at more than one place during the term of the permit, without obtaining a separate permit for each such business and place of business so conducted. All permits shall be strictly limited to the time, place, and person or thing named therein. No permit shall be transferable or assignable. [93—21.]

Sec. 456. Duplicate permits.—The city assessor and collector may, upon satisfactory proof that the original has been lost or stolen, issue a duplicate permit, at his discretion, upon payment to him of a fee of fifty centavos. [93—22.]

Sec. 457. Expiration; renewal.—Every permit shall cease to be in force upon the expiration of the term thereof, or upon revocation of said permit for any of the causes mentioned in this chapter, and it shall be unlawful for any person holding such permit to conduct or continue the business, trade, profession, or calling so permitted without renewing said permit. [93—23.]

Sec. 458. Posting; surrender.—Permits shall be posted in the same manner as licenses are required to be posted. It shall be produced and surrendered when revoked, or when same has expired shall be produced or surrendered to any officer thereunto authorized. [93—24.]

Sec. 459. Penalties.—Any person to whom a permit has been issued under this title who shall violate any of its provisions shall be liable to be proceeded against for the fine or penalty imposed by this ordinance, and the permit may be revoked. [93—25.]

CHAPTER 28.

ADVERTISING AGENTS.

Sec.

460. Licenses.

461. Fees.

Sec.

462. Names of agents, etc. on posters.

Sec. 460. Licenses.—No person shall maintain, conduct, or engage in the business or calling of an advertising agent, or in the business of bill posting or street advertising, without first having obtained a license therefor. [93—26.]

Sec. 461. Fees.—There shall be paid for every license granted for the business of advertising agent, or for the business of bill posting or street advertising, the sum of forty pesos per annum. [93—27.]

Sec. 462. Names of agents, etc. on posters.—Every advertising agent or bill poster licensed under this chapter shall show in a legible manner, on every bill, poster, placard, notice, or advertisement posted or displayed the name of the person by whose authority the same is published, and the name of the advertising agent. [93—28.]

CHAPTER 29.

AUCTIONEERS.

Sec.

463. Licenses; exemptions.

464. Bonds.

465. Fees.

Sec.

466. Sale of jewelry, duty of auctioneers; penalty.

Sec. 463. Licenses; exemptions.—No person shall exercise the business, trade, or calling of an auctioneer, or sell any goods, wares, merchandise, or other property, real or personal, by public auction or outcry, without first having obtained a license therefor: *Provided*, That nothing in this section contained shall extend to any sale by auction of goods, wares, or merchandise, under or by virtue of any rule, order, or judgment of any court, or of any law respecting the collection of any tax or duty. [93—35.]

Sec. 464. Bonds.—Every auctioneer, before engaging in business as such, and before such license shall be issued to him, shall enter into bond with the city of Manila, with two or more good and sufficient sureties, residents of the city, to be approved by the city assessor and collector, in the penal sum of five hundred pesos, conditioned that such person will strictly and faithfully observe all ordinances, regulations, and requirements relating to auctioneers or their business, and will pay all fines and penalties incurred by such person, which bond shall be filed with the city assessor and collector at the time such license is issued. [93—36.]

Sec. 465. Fees.—There shall be paid for every license granted for the business, trade, or calling of an auctioneer the sum of one hundred pesos per annum. [93—37.]

Sec. 466. Sale of jewelry, duty of auctioneers; penalty.—It shall be the duty of every auctioneer who shall offer for sale any watch, plate, or jewelry of any kind to announce to the persons present, in a loud voice, whether the same be gold, gold plate, silver, silver plate, or base metal, before proceeding to sell the same. Each violation of the provisions of this section shall be punished as a separate violation of this ordinance. [93—39.]

CHAPTER 30.

BARBERS.

Sec.

467. Licenses.

468. Fees; itinerant barbers.

Sec.

469. Contents of applications.

Sec. 467. Licenses.—No person shall conduct or engage in the business, trade, or calling of barbering in the manner provided in the next succeeding section without first having obtained a license therefor. [93—41.]

Sec. 468. Fees; itinerant barbers.—There shall be paid for every license granted to a barber under this chapter the sum of three pesos per annum, which license shall be for the location and for one chair of whatever character, and for each additional ordinary chair one peso per annum, and for each additional mechanical chair three pesos per annum. Itinerant barbers or those who ply their trade without a fixed place of business shall pay two pesos per annum. [93—42.]

Sec. 469. Contents of applications.—Every application for the license by this chapter required shall be accompanied by a statement of the number and kind of chairs to be kept or maintained by the applicant, which statement shall be the basis for computing the amount to be paid for such license. No person shall keep or maintain any chair in excess of the number set forth in said statement without first having obtained a license and paid the fee therefor. [93—43.]

CHAPTER 31.

BILLIARD AND POOL TABLES.

Sec.

470. Permits; fees.

Sec.

471. Revocation.

Sec. 470. Permits; fees.—No person shall have or keep any billiard or pool table whereon persons are permitted to play for a compensation or hire without first obtaining a permit so to do. Upon approval of the Municipal Board such permit shall be issued by the city assessor and collector, who is authorized to charge and receive therefor the sum of two pesos for each such table aforesaid. [93—44.]

Sec. 471. Revocation.—Whenever it shall come to the attention of the Municipal Board that any such billiard or pool rooms shall become the resort of thieves, dissolute or disreputable persons, the permits issued under this chapter for the maintenance of such tables in said rooms shall be revoked. [93—46.]

CHAPTER 32.

BOARDING STABLES.

Sec.
472. Licenses.
473. Fees.

Sec.
474. Contents of applications.

Sec. 472. Licenses.—No person shall own, keep, maintain, or conduct any boarding stable, or place where horses or other live stock are kept, fed, or boarded for others, for compensation or hire, without first having obtained a license therefor. [93—47.]

Sec. 473. Fees.—There shall be paid for every license granted for a boarding stable, as in this chapter provided, the sum of ten pesos per annum, which license shall be for location, including accommodation for three animals, or less; and for every animal in excess of said three animals there shall be paid the sum of two pesos per annum for each such animal. [93—48.]

Sec. 474. Contents of applications.—Every application for the license in this chapter required shall be accompanied by a statement of the greatest number of animals to be kept by the applicant, which statement shall be the basis for computing the amount to be paid for such license. No person shall keep any animals in excess of the number so set forth in said statement without first having paid the license fee therefor. [93—49.]

CHAPTER 33.

BOWLING ALLEYS.

Sec.
475. Licenses; exemptions.

Sec.
476. Fees.

Sec. 475. Licenses; exemptions.—No person shall own, maintain, or operate any bowling alley, nine or ten pin alley (without regard to the number of pins used) in which persons are permitted to play for compensation paid or to be paid therefor, without first having obtained a license therefor: *Provided*, That this chapter shall not apply to alleys constructed by associations or individuals and kept by them exclusively for their own private recreation. [93—50.]

Sec. 476. Fees.—There shall be paid for every license granted for a bowling alley, as in this chapter provided, the sum of twenty pesos per annum for each alley so owned, maintained, or operated. [93—51.]

CHAPTER 34.

CLUBS.

Sec.
477. Licenses; exemptions.

Sec.
478. Fees by classes.

Sec. 477. Licenses; exemptions.—No person shall maintain, conduct, or control any regularly organized club, voluntary association or organization, maintained, conducted, or controlled for the amusement, recreation, or improvement of the members thereof for which an initiation membership or other fee or compensation is paid, or required to be paid, or membership dues or other dues are paid or required to be paid therefor, without first having obtained a license, as provided for in the next succeeding section: *Provided*, That this chapter shall not apply to fraternal or benevolent orders not maintaining club privileges. [93—52.]

Sec. 478. Fees by classes.—There shall be paid for every license granted for a regularly organized club, voluntary association or organization as herein provided:

Class A: Clubs furnishing lodgings, food, and alcoholic or intoxicating drinks to their members, one hundred pesos per annum;

Class B: Clubs furnishing alcoholic or intoxicating drinks, but not food and lodging, to their members, eighty pesos per annum:

Class C: Clubs not furnishing either lodging, food, or alcoholic or intoxicating drinks to their members, ten pesos per annum. [93—53.]

CHAPTER 35.

DANCE HALLS.

Sec.
479. Licenses; exemptions.

Sec.
480. Fees.

Sec. 479. Licenses; exemptions.—No person shall own, maintain, or conduct any public dance hall or dancing school, except for the purpose of instructing children under twelve years of age, where an admission or entrance, or any other fee is charged, without first having obtained a license therefor. [93—54.]

Sec. 480. Fees.—There shall be paid for every license granted for a public dance hall or school the sum of three pesos for each day on which public dances shall be held or a school conducted therein. [93—55.]

CHAPTER 36.

DETECTIVE AGENCIES.

Sec.	Sec.
481. "Private detective agency" defined.	483. Qualifications.
482. Licenses.	484. Fees.
	485. Revocation.

Sec. 481. "Private detective agency" defined.—Any person who shall engage in the business of a detective, for hire or reward, or who shall advertise his or her business to be that of a detective, or as conducting a detective agency, for hire or reward, is declared to be a private detective agency. [93—56.]

Sec. 482. Licenses.—No person shall engage in the business of a private detective agency, as in the last preceding section defined, without first having obtained a license therefor. [93—57.]

Sec. 483. Qualifications.—No such license shall be granted until satisfactory proof of the competency and integrity of such person shall have been made to the Municipal Board. [93—59.]

Sec. 484. Fees.—There shall be paid for every license granted to a private detective agency the sum of fifty pesos per annum. [93—58.]

Sec. 485. Revocation.—Any license issued under this chapter may be revoked by the Municipal Board, in its discretion, upon good cause being shown. [93—60.]

CHAPTER 37.

DOGS.

Sec.	Sec.
486. Licenses.	489. Collars with tags; muzzles.
487. Annual fees.	490. Register; tags furnished.
488. License year.	

Sec. 486. Licenses.—No person shall own or keep any dog over three months of age without first having obtained a license therefor. [93—61.]

Sec. 487. Annual fees.—There shall be paid for every license granted for the keeping of any dog, the sum of four pesos per annum for male dogs and the sum of six pesos per annum for female dogs. [93—62.]

Sec. 488. License year.—The license year for dogs shall be from January first to December thirty-first, inclusive, but the city assessor and collector may issue the license by this chapter required for a fractional part of a year, and shall collect a proportionate amount of the license fee for said fractional part of a year: *Provided*, That

every license issued shall expire on the thirty-first day of December following the date of issue. [93—63.]

Sec. 489. Collars with tags; muzzles.—The owner or keeper of any dog required to be licensed by this chapter shall provide a leather or metal collar to which the tag hereinafter in this chapter provided for shall be securely fastened. He shall also muzzle the dog if so ordered, as in chapter four hereof provided. [93—64.]

Sec. 490. Register; tags furnished.—The city assessor and collector shall keep a register of all licensed dogs, describing the same by name, breed, color, and sex, and shall also enter the name and address of the owner or keeper and the number of the license tag. A metal tag, the design of which shall be changed from year to year, shall be provided by the city assessor and collector for every dog so licensed. [93—65.]

CHAPTER 38.

EMBALMERS.

Sec.	Sec.
491. Licenses; approval by Director of Health.	492. Fees.

Sec. 491. Licenses; approval by Director of Health.—It shall be unlawful for any person now engaged or hereafter desiring to engage in the business or practice of embalming dead human bodies, or to hold himself out as practicing said art of embalming, without first having obtained a license therefor approved by the Director of Health. [93—74.]

Sec. 492. Fees.—There shall be paid for every license granted to persons engaged in the business or practice of embalming the sum of fifty pesos per annum. [93—75.]

CHAPTER 39.

ESTABLISHMENTS FOR THE STORAGE OF EXPLOSIVES AND COMBUSTIBLES.¹

Sec.	Sec.
493. Licenses; provisos, limited quantities, launches.	495. Supervision of chief of fire department; licenses issued, when.
494. Fees.	496. Permits unnecessary for United States Government.

¹ Penalties and revocation of licenses.—For provisions as to, see sec. 430 hereof.

Sec. 493. Licenses; provisos, limited quantities, launches.—No person shall have, keep, or store at his place of business or elsewhere in the city of Manila any gunpowder, guncotton, dynamite, nitro-glycerin, calcium carbide (acetylene), benzine, naphtha, turpentine, petroleum, tar, pitch, resin, or any other highly explosive or combustible material, whether solid, fluid, or gas, without first having obtained a license therefor: *Provided*, That no person shall be required to obtain a license to have, keep, or store, for his own use, the following, and in the following limited quantities:

Gunpowder, not to exceed	pounds....	5
Calcium carbide, not to exceed.....	cases (240 pounds)....	2
Benzine, not to exceed	gallons....	10
Gasoline, not to exceed	do.....	10
Naphtha, not to exceed	do.....	10
Turpentine, not to exceed	do.....	30
Petroleum, not to exceed.....	do.....	20
Tar, not to exceed 100 kilos	barrels....	1
Pitch, not to exceed 100 kilos	do.....	1
Resin, not to exceed 100 kilos	do.....	1
Matches	cases....	10

And provided further, That launches using gasoline or naphtha for fuel may have or keep for such use a quantity not exceeding one hundred gallons. [93—76.]

Sec. 494. Fees.—There shall be paid for each license granted under this chapter the sum of ten pesos. [93—77.]

Sec. 495. Supervision of chief of fire department; licenses issued, when.—All applications for the license by this chapter required shall be referred to the chief of the fire department, who shall have supervision of the location and quantity of the article for which license is requested, and the manner of storing the same. He shall report upon said applications to the city assessor and collector, with his recommendations thereon. No license shall be issued except in accordance with the provisions of this chapter and in accordance with the recommendations of said chief of the fire department. [93—78.]

Sec. 496. Permits unnecessary for United States Government.—Nothing in this chapter shall be construed to require a permit for, or to interfere with the use, storage, or transportation of highly explosive or combustible material by officials of the United States Government in their official capacity: *Provided*, That whenever any such material is transferred by such official to any other person for any purpose the chief of the fire department shall be immediately notified thereof. [93—85.]

CHAPTER 40.

FERRIES.

Sec.

497. Permits; defined; fees.

498. Contents and display of permits.

Sec.

499. Numbers of permits on crafts.

Sec. 497. Permits; defined; fees.—No person shall run, maintain, or operate any public ferryboat, banca, or other craft upon the waters in the city of Manila, plying between points on the banks of said water, for the conveyance of passengers for compensation or hire, without first obtaining a permit so to do: *Provided*, That a boat or boats used as a pontoon bridge where permission is given shall be construed as a ferry and subject to the requirements of this chapter. Such permit shall be issued by the city assessor and collector, who is authorized to charge and receive therefor the sum of two pesos for each such ferryboat, banca, or other craft. [93—87.]

Sec. 498. Contents and display of permits.—Such permit shall indicate upon its face the points between which said ferryboat, banca, or other craft is permitted to operate, and it shall be unlawful for said ferryboat, banca, or other craft to operate as such public ferry between any other points. The permit shall be displayed at all times in some conspicuous place on such ferryboat, banca, or other craft. [93—88.]

Sec. 499. Numbers of permits on crafts.—The number of said permit shall be plainly painted or stenciled on the said ferryboat, banca, or other craft, but no person shall so paint or stencil a number of a permit thereupon unless such permit has been issued to him in accordance with the provisions of this chapter. [93—89.]

CHAPTER 41.

FOOD AND DRINK, SALE OF.

Sec.

500. Permits.

Sec.

501. Fees; approval by Director of Health.

Sec. 500. Permits.—It shall be unlawful for any person except those holding a permit under this title, and persons selling in public markets, to sell or offer for sale any fresh meats or fresh fish, or any fruits or vegetables, or any manufactured or cooked food or drink, without obtaining a permit so to do. [93—90.]

Sec. 501. Fees; approval by Director of Health.—Such permit shall be issued by the city assessor and collector, who is authorized to charge and receive therefor the sum of three pesos: *Provided*, That such permit shall not be issued except upon the approval of the Director of Health first being had. [93—90.]

CHAPTER 42.

FORTUNE TELLERS, JUGGLERS, AND
ACROBATS.

Sec.

502. Licenses.

503. Period.

504. Fees.

Sec.

505. Licenses to be carried.

506. Penalties.

Sec. 502. Licenses.—No person shall conduct or engage in the business or calling of a fortune teller, juggler, or acrobat, plying his vocation, or otherwise performing from house to house or in the public streets, without first having obtained a license therefor. [93—93.]

Sec. 503. Period.—The license by this chapter required shall be for a period of three months from January first, April first, July first, and October first of each year: *Provided*, That a license may be issued to cover any number of quarters in the year upon payment of an amount equal to the aggregate fees for the number of quarters for which it is issued. [93—94.]

Sec. 504. Fees.—There shall be paid for every license granted to a fortune teller, juggler, or acrobat, as in this chapter provided, the sum of five pesos per quarter year. [93—95.]

Sec. 505. Licenses to be carried.—Licenses granted under this chapter shall be carried on the person of the licensee at all times while in the pursuance of the business authorized thereby. [93—96.]

Sec. 506. Penalties.—Any person licensed under this chapter who shall be guilty of any fraud, cheat, misrepresentation, or imposition while acting in such capacity, or act in any other capacity than that specified in his license, shall be punished as for a violation of this ordinance, and in addition his license may be revoked. [93—97.]

CHAPTER 43.

HAWKERS, PEDDLERS, AND HUCKSTERS.

Sec.

507. Licenses; exemptions.

508. Period.

509. Fees.

Sec.

510. Licenses to be carried.

511. Penalties.

Sec. 507. Licenses; exemptions.—No person shall conduct or engage in the business or calling of a hawker, peddler, or huckster without first having obtained a license therefor: *Provided*, That this chapter shall not apply to hawkers, peddlers, or hucksters selling only native vegetables, fruits, or foods, personally carried by the hawker, peddler, or huckster. [93—98.]

Sec. 508. Period.—The license by this chapter required shall be for a period of three months from January first, April first, July first, and October first of each year: *Provided*, That a license may be issued to cover any number of quarters in the year upon payment of an amount equal to the aggregate fees for the number of quarters for which it is issued. [93—99.]

Sec. 509. Fees.—There shall be paid for every license granted to a hawker, peddler, or huckster, as in this chapter provided, the sum of three pesos per quarter year. [93—100.]

Sec. 510. Licenses to be carried.—Licenses granted under this chapter shall be carried on the person of the licensee at all times while in the pursuance of the business authorized thereby. [93—101.]

Sec. 511. Penalties.—Any person licensed under this chapter who shall be guilty of any fraud, cheat, misrepresentation, or imposition, while conducting business under such license, or who shall peddle any other kind of wares, goods, or merchandise than that specified in his license shall be punished as for a violation of this ordinance, and in addition his license may be revoked. [93—103.]

CHAPTER 44.

HOTELS, LODGING AND BOARDING HOUSES.

Sec.	Sec.
512. Hotels, taverns, and common inns, licenses for; approval by Bureau of Health.	518. Boarding houses, licenses for.
513. Classes of hotels, etc.	519. Classes of boarding houses.
514. Fees for hotels, etc.	520. Fees for boarding houses.
515. Lodging houses, licenses for.	521. Contents of applications.
516. Classes of lodging houses.	522. Guests to register.
517. Fees for lodging houses.	523. Registers open to police inspection.

Sec. 512. Hotels, taverns, and common inns, licenses for; approval by Bureau of Health.—No person shall own, keep, maintain, or conduct any hotel, tavern, or common inn for the boarding, lodging, and entertainment of travelers, transient persons, or other persons or guests, or hold himself or herself out as owning, keeping, maintaining, or conducting any hotel, tavern, or common inn, without first having obtained a license therefor the application for which has been approved by the Bureau of Health. [93—104.]

Sec. 513. Classes of hotels, etc.—For the purposes of this chapter, hotels, taverns, or common inns shall be divided into the following classes:

Class A: Hotels, taverns, or common inns having accommodations for twenty persons or guests or more.

Class B: Hotels, taverns, or common inns having accommodations for less than twenty persons or guests. [93—105.]

Sec. 514. Fees for hotels, etc.—There shall be paid for every license granted to a hotel, tavern, or common inn of Class A the sum of fifty pesos per annum; for every license granted to a hotel, tavern, or common inn of Class B there shall be paid the sum of twenty-five pesos per annum. [93—106.]

Sec. 515. Lodging houses, licenses for.—No person shall own, keep, maintain, or conduct any house or place for the entertainment of lodgers only, for compensation or hire, without first having obtained a license therefor. [93—107.]

Sec. 516. Classes of lodging houses.—For the purposes of this chapter, lodging houses shall be divided into the following classes:

Class A: Lodging houses having accommodations for ten or more lodgers.

Class B: Lodging houses having accommodations for less than ten lodgers. [93—108.]

Sec. 517. Fees for lodging houses.—There shall be paid for every license granted for lodging houses of Class A the sum of twenty pesos per annum; for every license granted for lodging houses of Class B there shall be paid the sum of ten pesos per annum. [93—109.]

Sec. 518. Boarding houses, licenses for.—No person shall own, keep, maintain, or conduct any house or place for the accommodation or entertainment of boarders only, for compensation or hire, without first having obtained a license therefor. [93—110.]

Sec. 519. Classes of boarding houses.—For the purposes of this chapter, boarding houses shall be divided into the following classes:

Class A: Boarding houses having accommodations for ten or more boarders.

Class B: Boarding houses having accommodations for less than ten boarders. [93—111.]

Sec. 520. Fees for boarding houses.—There shall be paid for every license granted for a boarding house of Class A the sum of twenty pesos per annum; for every license granted to a boarding house of Class B there shall be paid the sum of ten pesos per annum. [93—112.]

Sec. 521. Contents of applications.—Every person desiring to take out a license to own, keep, maintain, or conduct any hotel, tavern, or common inn, lodging house, boarding house, or boarding and lodging house combined, as in this chapter provided, shall, in the application therefor, make a statement of the greatest number of persons he can accommodate in the particular business for which he desires a license, which statement shall be transmitted, together with said application, to the city assessor and collector, and shall be the basis upon which the said license shall be granted. [93—113.]

Sec. 522. Guests to register.—No owner, manager, or keeper of any hotel or lodging house shall entertain or have any guests therein, or let any room or other quarters to any person, before such person has signed his name and entered his home address in the book or register of guests, boarders, or lodgers. [93—115.]

Sec. 523. Registers open to police inspection.—Every owner, manager, or keeper of any hotel or lodging house shall keep and carefully preserve said wellbound book or register of guests, lodgers, or boarders, which shall at all times be open to the inspection of any member of the police department. [93—114.]

CHAPTER 45.

LAUNDRIES AND DYEING AND CLEANING ESTABLISHMENTS.

Sec.	Sec.
524. Licenses; approval by Bureau of Health.	525. Fees.

Sec. 524. Licenses; approval by Bureau of Health.—No person shall maintain, conduct, or operate any laundry, as described in the next succeeding section, or dyeing or cleaning establishment, or engage in the business, or hold himself out as engaging in the business of the same, without first having obtained a license therefor, the application for which has been approved by the Bureau of Health. [93—116.]

Sec. 525. Fees.—There shall be paid for every license granted for the business of a laundry doing a business of one hundred pesos or more per month, or a dyeing and cleaning establishment, the sum of twenty pesos per annum. [93—117.]

CHAPTER 46.

LIVERY STABLES.

Sec.	Sec.
526. Licenses.	529. Foul livery stables nuisances; penalty.
527. Fees.	
528. Contents of applications.	

Sec. 526. Licenses.—No person shall own, keep, maintain, or conduct any livery stable, or place where horses, carriages, or other vehicles are kept to let or hire, without first having obtained a license therefor. [93—118.]

Sec. 527. Fees.—There shall be paid for every license granted for a livery stable, as in this chapter provided, the sum of twenty-five

pesos per annum, which license shall be for location, including two vehicles, and for each vehicle in addition to said two vehicles there shall be paid the sum of three pesos per annum for each such vehicle, and for each saddle horse kept for hire there shall be paid two pesos per annum. [95—1.]

Sec. 528. Contents of applications.—Every application for the license by this chapter required shall be accompanied by a statement of the greatest number of saddle horses and vehicles of all descriptions to be kept by the applicant, which statement shall be the basis for computing the amount to be paid for such license. No person shall keep any saddle horses or vehicles in excess of the number set forth in said statement without first having paid the license fee therefor. [93—120.]

Sec. 529. Foul livery stables nuisances; penalty.—Any livery stable licensed under the provisions of this chapter which shall become nauseous, foul, or offensive is declared a nuisance, and the person owning, keeping, maintaining, or conducting the same shall be punished for each offense as for a violation of this ordinance, and in addition the license granted for such business may be revoked. [93—121.]

[See also subsecs. (g) and (h), sec. 809 hereof.]

CHAPTER 47.

MERCANTILE AND COLLECTING AGENCIES.

Sec.	Sec.
530. "Mercantile agency" defined.	532. Licenses.
531. "Collecting agency" defined.	533. Fees.

Sec. 530. "Mercantile agency" defined.—Any person engaged in the business of gathering information as to the financial standing, ability, or credit of persons engaged in business, and reporting the same to subscribers or to customers applying and paying therefor is declared to be a mercantile agency. [93—123.]

Sec. 531. "Collecting agency" defined.—Any person other than a practicing attorney at law engaged in the business of collecting or suing debts or liabilities placed in his hands for said collection or suit, by subscribers or customers applying and paying therefor, is declared to be a collecting agency. [93—124.]

Sec. 532. Licenses.—No mercantile agency or collecting agency shall engage in business or have an established place of business without first having obtained a license therefor. [93—125.]

Sec. 533. Fees.—There shall be paid for every license granted to any mercantile agency or to any collecting agency the sum of one hundred pesos per annum: *Provided*, That only one license shall be required from any one person to engage in both of these occupations at one place. [93—126.]

CHAPTER 48.

MERRY-GO-ROUNDS.

Sec.
534. Licenses.

Sec.
535. Fees.

Sec. 534. Licenses.—No person shall own, conduct, or operate any merry-go-round, or flying-horse arrangement or establishment, for public use, for a compensation or hire paid or to be paid by the users thereof, without first having obtained a license therefor. [93—127.]

Sec. 535. Fees.—There shall be paid for every license granted for a merry-go-round or flying-horse arrangement or establishment the sum of ten pesos, which sum shall be a monthly license fee for every month or fractional part of a month it is proposed to conduct, maintain, or operate the same. [93—128.]

CHAPTER 49.

OFFENSIVE AND DANGEROUS BUSINESSES.

Sec.
536. Permits for enumerated businesses; proviso.

Sec.
537. Fees; applications.

Sec. 536. Permits for enumerated businesses; proviso.—It shall be unlawful to engage in or conduct any business, occupation, trade, or profession enumerated in this section without first obtaining a permit so to do: Manufacturing or boiling varnish or oil, boiling fat, tallow, or lard, manufacturing lampblack, glue, fertilizer, turpentine, tar, or charcoal, tanning or dressing hides or skins, manufacturing bricks, pottery, or lime, or crushing, grinding, or burning stones, bones, or shells; storing bones and feathers, drying or curing fish; dyeing or lye making, or soap making; boiling or refining sugar; manufacturing matches; stock yards, the business of a foundry, contractors for electrical installation; canning or preserving fruit; or any other offensive business whatsoever: *Provided*, That no permit for which application may be made shall be issued for any such business within the district of strong materials, which was not established prior to the first day of April, nineteen hundred and seven, unless the Municipal Board provides otherwise. [93—130.]

[For businesses in which unlawful to engage see secs. 647 and 800 hereof.]

Sec. 537. Fees; applications.—The city assessor and collector shall issue the permit provided for in this chapter and is authorized to charge and receive therefor the sum of ten pesos: *Provided*,

That applications for such permit shall be referred to the Department or Insular Bureau having general supervision over the particular subject, and its recommendation first had thereon. [93—131.]

CHAPTER 50.

PARADES.

Sec.
538. Licenses.

Sec.
539. Daily fees.

Sec. 538. Licenses.—No person shall hold, conduct, or maintain any circus, circus and menagerie, or menageries, or other similar parade in, upon, or along the streets or ways of the city without first having obtained a license therefor. [93—133.]

Sec. 539. Daily fees.—There shall be paid for every license granted for a parade as in this chapter provided the sum of ten pesos for each day on which any such parade is held or maintained. [93—134.]

CHAPTER 51.

PAWNBROKERS.

Sec.
540. "Pawnbroker" defined.
541. Permits, fees for.
542. Bonds.
543. Signs on shops.
544. Record of pledges.
545. Admission of police.
546. Memoranda to pledgors, contents.

Sec.
547. Daily copy of entries to chief of police; proviso, redemption.
548. Information concerning lost or stolen articles.
549. Disposal of pawned articles.
550. Public auction of jewelry; notice of.
551. Closing of business, period.
552. Penalties.

Sec. 540. "Pawnbroker" defined.—The designation "pawnbroker" whenever used in this chapter includes every person making loans on deposit or pledge of personal property, or dealing in pledges of personal property on the condition of returning the same at a stipulated price, or displaying at any place of business three gilt or yellow balls, or exhibiting a sign of money to loan on personal property or deposit or pledge, or otherwise engaging in the business commonly known as pawnbroking. [93—135.]

Sec. 541. Permits, fees for.—No person shall engage in business as a pawnbroker without first obtaining a permit so to do. Such permit shall be issued by the city assessor and collector, who is authorized to charge therefor the sum of ten pesos per annum. [93—136.]

Sec. 542. Bonds.—Every pawnbroker, before engaging in business as such, and before such permit shall be issued to him, shall enter into bond to the city of Manila, with two or more good and sufficient sureties, residents of the city, to be approved by the city assessor and collector, in the penal sum of one thousand pesos, conditioned that such person will strictly and faithfully observe and perform all ordinances, regulations, and requirements relating to pawnbrokers and their business and will pay all fines and penalties incurred by such person, which bond shall be filed with the city assessor and collector at the time such permit is issued. [93—137.]

Sec. 543. Signs on shops.—Every person to whom a permit is issued under this chapter shall cause his name, or the name of the firm or corporation, with the words “Licensed pawnbrokers,” to be printed in large legible characters and placed over the outside door of his shop or place of business. [93—138.]

Sec. 544. Record of pledges.—Every pawnbroker shall keep a book or books in the form prescribed by the chief of police, in which shall be entered, in ink, at the time of each loan or pledge, an accurate account and description, in English or Spanish, of every article or thing pawned or pledged, the amount of money loaned thereon, the date of pawning or pledging the same, the rate of interest to be paid on the loan, and the name and residence of each person pawning or pledging such article or thing, together with a particular description of such person, including his or her nationality, sex, and general appearance; and no pawnbroker or other person shall alter or erase any entry made in such book. Every person pawning or pledging any article or thing with a pawnbroker shall sign his name and give his address to said pawnbroker, and such name and address shall be made a part of the record heretofore described in this section: *Provided*, That a person unable to write shall make his mark, and his name shall be written by a competent person, who shall sign his own name as witness to said mark. [93—139.]

Sec. 545. Admission of police.—Every pawnbroker and every person employed or being in any pawnshop, shall at all times during business hours, freely admit the chief of police or any member of the police department authorized in writing in that behalf by the chief of police, to examine each and every book or other record and each and every article or thing pawned or pledged. [93—140.]

Sec. 546. Memoranda to pledgors, contents.—Every pawnbroker shall, at the time of every such loan or pledge, deliver to each person pawning or pledging any article or thing a memorandum or note signed by such pawnbroker and containing the substance of the record by section five hundred and forty-four hereof required to be kept in such pawnbroker’s book, less the description of the person so pawning or pledging such article or thing, and no compensation of any kind whatsoever shall be received by any pawnbroker for any such memorandum or note. [93—141.]

Sec. 547. Daily copy of entries to chief of police; proviso, redemption.—Every pawnbroker shall make out and deliver to the chief of police, on the blank form prescribed by him, before twelve o'clock noon of each day, a full and correct copy in ink of the entries made on the preceding day in the book referred to in section five hundred and forty-four hereof, together with the number of the pawn ticket issued for each article or thing pawned or pledged; and no article or thing pawned or pledged shall be permitted to be redeemed or removed from the place of business of any pawnbroker before five o'clock on the day following that upon which such article or thing was pawned or pledged or less than twenty-four hours after the said copy of such entry has been so delivered to the chief of police. [93—142.]

Sec. 548. Information concerning lost or stolen articles.—Whenever any pawnbroker shall be notified by the chief of police that any article or thing has been lost or stolen, and such article or thing, or any part thereof, shall then or thereafter be in the possession of any such pawnbroker, he shall forthwith give full information in writing concerning the same and the manner in which it came into his possession to the chief of police. [93—143.]

Sec. 549. Disposal of pawned articles.—No pawnbroker shall sell or otherwise dispose of any article or thing taken or received by him in pawn or pledge less than three months from the expiration of the period for which such article or thing was so taken or received. [93—144.]

Sec. 550. Public auction of jewelry; notice of.—No pawnbroker taking or receiving jewelry, articles in whole or in part of gold or silver, or precious stones in pawn or pledge shall sell or otherwise dispose of any article or thing taken or received in pawn or pledge except at public auction in his place of business as such pawnbroker; nor shall any such article or thing be sold or disposed of unless said pawnbroker has published a notice for three days in two daily papers printed in the city of Manila, one in English and one in Spanish, during the week next preceding the date of such sale. Said notice shall be according to the following form:

Pawnbroker's establishment of
(Name of the owner.)

Street, No.

On the day of, 19, commencing at a. m., there will be sold at public auction in this establishment the unredeemed pledges left in the same during the months (or month) of, 19

MANILA, P. I.,, 19

[93—145.]

Sec. 551. Closing of business, period.—No pawnbroker shall close his place of business or remove from the city of Manila within three months after the expiration of the period for which any article or thing shall have been taken or received by him at his

place of business in pawn or pledge, or before any such article or thing shall have been sold or otherwise disposed of in accordance with the provisions of this chapter. [93—147.]

Sec. 552. Penalties.—Every pawnbroker shall be responsible, and punishable by fine or imprisonment as in this ordinance provided, for violation of any of the provisions of this chapter, whether such violation shall be committed by himself personally or by his agent, clerk, or employee. [93—146.]

CHAPTER 52.

PLUMBERS.

Sec.

553. Master plumbers' licenses; fees.

554. Qualifications.

555. Bonds.

Sec.

556. Signs at places of business.

557. Plumbing work.

Sec. 553. Master plumbers' licenses; fees.—No person shall conduct or engage in the business, trade, or calling of plumbing or house drainage, or hold himself out as carrying on the business, trade, or calling of a plumber, without first having obtained a license therefor. Said license shall be known as a master plumber's license and shall apply to all plumbers conducting a business or in charge of the work; and no person other than licensed master plumbers or their employees shall be permitted to do plumbing work.

There shall be paid for every license granted to a master plumber the sum of twenty pesos per annum. [93—148.]

Sec. 554. Qualifications.—A license for a master plumber may be issued to any person twenty-one years of age or over desiring to engage in the plumbing business in the city of Manila. Such person shall first pass an examination to prove his competency, responsibility, and skill to ply the trade before a board of examiners to be named by the Municipal Board. [93—149.]

Sec. 555. Bonds.—The applicant for the license provided for in this chapter shall, upon receiving notice that his application for such license has been granted, present a bond in the sum of five hundred pesos, signed by two sureties, or by an authorized surety company, conditioned for the faithful performance of his duties in accordance with law. [93—150.]

Sec. 556. Signs at places of business.—Every master plumber shall display at his place of business in a conspicuous place a sign with full registered name and the words "licensed master plumber—*maestro plomero licenciado*" in letters not less than eight centimeters high. No person shall display a sign stating or implying that he is a master plumber unless such is the fact. [93—151.]

Sec. 557. Plumbing work.—No person shall cause any plumbing work to be done except by a duly licensed plumber. [93—153.]

CHAPTER 53.

PUBLIC VEHICLES.

Sec.	Sec.
558. Licenses.	559. Fees.

Sec. 558. Licenses.—No person shall own, keep, or operate, for compensation or hire, any public vehicle without first having obtained a license therefor. [93—154.]

Sec. 559. Fees.—There shall be paid for every license granted under this chapter an annual fee, as follows:

Four-wheeled public carriage drawn by two horses.....	₹8.00
Four-wheeled public carriage drawn by one horse.....	6.00
Two-wheeled public carriage drawn by one horse.....	5.00
Public cart drawn by two horses.....	4.00
Public cart drawn by one horse.....	3.00

Provided, That automobiles or other public vehicles run by steam, gasoline, electricity, or other than animal power shall be licensed as for “four-wheeled public carriages drawn by two horses.” [93—156.]

[For definitions of terms “public vehicle,” “public carriage,” “public cart,” see sec. 870 hereof; “horse,” sec. 869 hereof.]

CHAPTER 54.

RACE TRACKS AND HORSE RACING.

Sec.	Sec.
560. “Horse racing” and “race meeting” defined.	563. Illegal racing.
561. Race-track licenses.	564. Race-meeting licenses; daily fees.
562. Fees.	

Sec. 560. “Horse racing” and “race meeting” defined.—Any exhibition or trial of speed for a purse, prize, or consideration, run by competing horses, whether an admission fee is charged or not, or whether bets upon the result of said exhibition or trial of speed are wagered or not, is declared to be horse racing: *Provided*, That the training of horses or the preparation of horses for entry in any such exhibition or trial of speed shall not be deemed horse racing for the purposes of this chapter. Any series of horse races, whether run on one day or on consecutive days, is declared to be a race meeting. [93—180.]

Sec. 561. Race-track licenses.—No person shall own, maintain, or conduct any race track or race course for the purpose of holding race meetings or for the purpose of giving horse-racing exhibitions, without first having obtained a license therefor. [93—179.]

Sec. 562. Fees.—There shall be paid for every license granted for owning, maintaining, or conducting a race track the sum of two hundred pesos per annum. [93—181.]

Sec. 563. Illegal racing.—The racing of horses or the suffering of horses to run in a horse race, as in this chapter provided, is prohibited, except upon race courses or race tracks regularly licensed in accordance with this chapter. [93—182.]

Sec. 564. Race-meeting licenses; daily fees.—It shall be unlawful to conduct any race meeting or horse race as in section five hundred and sixty hereof defined and not otherwise prohibited by this chapter, without first having obtained a license therefor. Said license shall be in addition to the license required for race tracks, and shall be a daily license for each day upon which said race meeting is held or horse race conducted. There shall be paid for every such license, daily, in advance, the sum of ten pesos. [93—183.]

CHAPTER 55.

RESTAURANTS AND CAFÉS.

Sec.

565. Licenses; approval by Bureau
of Health.

566. Classes.

Sec.

567. Fees.

568. Contents of applications.

Sec. 565. Licenses; approval by Bureau of Health.—No person shall own, maintain, or conduct any restaurant, café, or public eating house, or place where meals are served or furnished, without lodging, to customers or guests, for compensation, by the meal or by the day, week, or month, or part thereof, without first having obtained a license therefor, the application for which has been approved by the Bureau of Health. [93—184.]

Sec. 566. Classes.—For the purpose of this chapter, restaurants, cafés, and public eating houses shall be divided into the following classes:

Class A: Restaurants, cafés, and public eating houses having accommodations for twenty or more persons or guests.

Class B: Restaurants, cafés, or public eating houses having accommodations for less than twenty persons or guests.

Class C: Public eating places known as "*carinderias*." [100—2.]

Sec. 567. Fees.—There shall be paid for every license granted for a restaurant, café, or public eating house of Class A the sum of

thirty pesos per annum; for every license granted to a restaurant, café, or public eating house of Class B there shall be paid the sum of fifteen pesos per annum; and for every license granted to an eating place of Class C there shall be paid the sum of five pesos per annum. [93—186.]

Sec. 568. Contents of applications.—Every person desiring to take out a license by this chapter provided for shall, in his application therefor, make a statement of the greatest number of persons he can accommodate in the business for which he desires a license, which statement shall be the basis upon which the said license shall be granted. [93—187.]

CHAPTER 56.

SECOND-HAND DEALERS AND KEEPERS OF JUNK SHOPS.

Sec.

569. Second-hand dealers permits,
fees for.

570. Keepers of junk shops licenses,
fees for.

Sec.

571. Lost or stolen goods, exhibit to
police.

Sec. 569. Second-hand dealers permits, fees for.—No person shall engage in, exercise, or carry on the trade or business of a dealer in second-hand furniture, household goods, or other articles without first having obtained a permit so to do. Such permit shall be issued by the city assessor and collector, who is authorized to charge and receive therefor the sum of ten pesos. [93—188.]

Sec. 570. Keepers of junk shops licenses, fees for.—No person shall engage in, exercise, or carry on the business of a keeper of a junk shop, or what is commonly called a junk shop, for the purchase and sale of junk, rags, old rope, paper, bagging, old iron, brass, copper, tin, lead, or empty bottles without having first obtained a license so to do. Such license shall be issued by the city assessor and collector, who is authorized to charge and receive therefor the sum of ten pesos. [93—189.]

Sec. 571. Lost or stolen goods, exhibit to police.—Every dealer in second-hand articles or keeper of a junk shop who shall receive or be in possession of any goods, article, or thing which may have been lost or stolen, or alleged or supposed to have been lost or stolen, shall forthwith, on demand of any member of the police department exhibit the same. [93—191.]

CHAPTER 57.

SHIPPING AND INTELLIGENCE OFFICES.

Sec.

572. Licenses.

573. Fees.

Sec.

574. Record of transactions.

575. Contracts, requirements as to.

Sec. 572. Licenses.—No person shall conduct, maintain, or engage in the business, trade, or occupation of keeping any shipping or intelligence office, or employment bureau or office or agency for the purpose of hiring men to work for others, or do the business of securing employment for others, or of procuring or furnishing an employee or employees for others, or giving information whereby employers or employees may be obtained, for compensation or hire paid or to be paid for such services by either party, without first having obtained a license therefor. [93—192.]

Sec. 573. Fees.—There shall be paid for every license granted under this chapter the sum of forty pesos per annum. [93—193.]

Sec. 574. Record of transactions.—Every person who shall maintain, conduct, or engage in a business licensed under this chapter shall keep in his office or place of business a book or books in which shall be entered a statement of all transactions had by such person in the conduct of said business; said book or books shall be open, at all reasonable times, to inspection by any member of the police department and all other persons with proper authority. [93—194.]

Sec. 575. Contracts, requirements as to.—Whenever any written contract is made and entered into by such person with other persons seeking employment or employees, or for whom he shall obtain employment or employees, a duplicate copy of said contract shall be furnished to such person or persons for their sole use and benefit. [93—195.]

CHAPTER 58.

SHOOTING GALLERIES.

Sec.

576. Licenses.

577. Fees.

Sec.

578. Revocation by Municipal Board, conditions.

Sec. 576. Licenses.—No person or persons shall keep, conduct, or maintain any shooting gallery or place wherein such person or persons shall permit, for any reward, compensation, or other consideration, any person to shoot with firearms or any other machine

or instrument for throwing projectiles without first having obtained a license therefor. [93—196.]

Sec. 577. Fees.—There shall be paid for every license granted for a shooting gallery, as provided in this chapter, the sum of twenty pesos per annum. [93—197.]

Sec. 578. Revocation by Municipal Board, conditions.—The Municipal Board may at any time, in its discretion, revoke any license granted under this chapter and, unless such license is revoked for a violation of this ordinance or other law, a pro rata part of the fee paid for said license for the unexpired term thereof shall be refunded, but in no other case. [93—198.]

CHAPTER 59.

SLOT MACHINES.

Sec.
579. Licenses.

Sec.
580. Fees.

Sec. 579. Licenses.—No person shall keep, maintain, or operate any slot machine, not otherwise prohibited by law and not a gambling device, without first having obtained a license therefor and such license must be posted on or near such slot machine. [93—199.]

Sec. 580. Fees.—There shall be paid for every license granted for any slot machine, under the provisions of this chapter, the sum of five pesos per annum. [93—200.]

CHAPTER 60.

TATTOOERS.

Sec.	Sec.
581. Licenses; approval by Bureau of Health.	582. Fees.

Sec. 581. Licenses; approval by Bureau of Health.—No person or persons shall conduct, maintain, or engage in the business, trade, or profession of a tattooer without first having obtained a license therefor. Applications for license to practice the above calling must be approved by the Bureau of Health. [93—201.]

Sec. 582. Fees.—There shall be paid for every license granted to persons to engage in the business, trade, or profession of a tattooer the sum of ten pesos per annum. [93—202.]

CHAPTER 61.

THEATERS.

Sec.
583. Permits.

Sec.
584. Fees.

Sec. 583. Permits. No person shall own, lease, maintain, or conduct any hall or theater in which entertainments of a dramatic or operatic character, including theatricals, and other exhibitions, shows, or amusements, are given for profit or gain without first having obtained a permit so to do. [93—203.]

Sec. 584. Fees.—Such permit shall be issued by the city assessor and collector, who is authorized to charge and receive therefor the sum of five pesos. [93—203.]

CHAPTER 62.

WAREHOUSES.

Sec.
585. "Public warehouse" defined.
586. Licenses.

Sec.
587. Fees.

Sec. 585. "Public warehouse" defined.—Every building or storehouse, or portion thereof, where goods, wares, merchandise, or other personal property is received and stored for compensation or hire is hereby declared, for the purpose of this title, to be a public warehouse. [93—208.]

Sec. 586. Licenses.—No person shall own, keep, maintain, or conduct any public warehouse, as in the last preceding section defined, without first having obtained a license therefor. [93—209.]

Sec. 587. Fees.—There shall be paid for every license granted for owning, keeping, maintaining, or conducting a public warehouse the sum of thirty pesos per annum. [93—210.]

TITLE 9.

MARKETS.

CHAPTER 63.

Sec.	Sec.
588. City to have sole power to establish and maintain.	601. Rules for assignment.
589. Quinta, Sampaloc, and other markets, location and extent; bazaars, fairs, etc.	602. Articles allowed to be sold.
590. Light, ventilation, drainage, paving, etc.	603. Health of vendors and employees.
591. Numbering of stalls, etc.	604. Peddling and hawking not permitted.
592. Sanitary maintenance.	605. Loafing, loitering, and begging not permitted.
593. Control by chief of department of sanitation and transportation.	606. Obstruction of employees.
594. Rules and regulations, posting.	607. Removal of persons from public markets.
595. Market hours.	608. City not responsible for stall holders' losses.
596. Manner of exposing merchandise; containers.	609. Rates for stalls, etc.
597. Sale, exposure for, what constitutes.	610. City assessor and collector's duties.
598. Sections, vendors assigned to.	611. Duties of collectors.
599. Stalls and fixtures, altering, etc., of.	612. Failure to pay rent of stalls.
600. Assignment to allotted space necessary.	613. Shanties and structures prohibited.
	614. Refuse, where placed.
	615. Police officers' duties.

Sec. 588. City to have sole power to establish and maintain.—No person, association, or corporation, other than the city of Manila, shall establish, keep, or maintain, or permit to be established, kept, or maintained within the corporate limits of the city of Manila, a public market of any kind. [103—1.]

Sec. 589. Quinta, Sampaloc, and other markets, location and extent; bazaars, fairs, etc.—This title shall apply to the public markets known as Quinta Market and Sampaloc Market, and to such other public markets as the Municipal Board may, from time to time, designate to be under the control of the department of sanitation and transportation, the location and extent of said public markets to be as is shown on the maps now on file in the office of the city engineer, or as may hereafter be adopted by the Municipal

Board: *Provided*, That this title shall not be construed to apply to bazaars, fairs, booths, stands, etc., permitted on special occasions to be erected in public thoroughfares or places, or on vacant lands, which have not been designated as public markets by the Municipal Board. [103—2.]

Sec. 590. Light, ventilation, drainage, paving, etc.—Every public market shall be adequately lighted and ventilated, the ground surfaces shall be properly drained and paved, and all stands, stalls, and market fixtures shall be constructed in such manner as the Director of Health may approve. [103—3.]

Sec. 591. Numbering of stalls, etc.—Each stall, stand, or allotted space for the use of vendors in the respective markets shall be given a number. [103—4.]

Sec. 592. Sanitary maintenance.—The provisions of title eleven hereof shall apply to the public markets. [103—29.]

Sec. 593. Control by chief of department of sanitation and transportation.—The chief of the department of sanitation and transportation shall have full control, under the direction of the Municipal Board, of the administration of all public markets in the city of Manila, and shall detail for duty in such public markets the necessary persons, who shall be given police power to summarily enforce all ordinances, rules, and regulations in all matters connected with the public markets. All persons are required to obey the directions of the chief of the department of sanitation and transportation or his authorized representative in all such matters, except the market collectors, in the performance of their duties. [103—5.]

Sec. 594. Rules and regulations, posting.—The chief of the department of sanitation and transportation shall post in each public market, in Spanish and Tagalog, rules and regulations approved by the Municipal Board relating to the administration, sanitation, and good order of such market; such rules and regulations to set forth the manner of assignment, privileges to be granted stall holders, tariff rate for rent of stalls, and such other rules and regulations as he shall deem necessary. [103—6.]

Sec. 595. Market hours.—The public markets shall be open for the sale of articles permitted for sale therein from five o'clock and thirty minutes antemeridian until seven o'clock postmeridian, every day during the year, excepting Sundays and public holidays, when they shall be open from five o'clock and thirty minutes antemeridian until noon only. [103—7.]

Sec. 596. Manner of exposing merchandise; containers.—All provisions or other articles offered for sale in the market shall be so arranged that the floor, stands, stalls, and all other places for exposing the same can be easily and perfectly cleansed, and shall be protected against all kinds of insects and vermin, and placed in such manner as the chief of the department of sanitation and

transportation or his authorized representative may direct, and any container for merchandise shall be of such size, class, and condition as shall be suitable for the purpose for which it is used. [103—8.]

Sec. 597. Sale, exposure for, what constitutes.—Whenever any article shall be exhibited in any public market, as if the same were intended for sale, whether sold or not, or directly offered for sale or not, such exhibition shall be held to be an exposure of the same for sale and an offer to sell within the meaning of this title. [103—9.]

Sec. 598. Sections, vendors assigned to.—Vendors shall be assigned into sections, according to the nature of the articles intended for sale, and any attempt to occupy any stall for any purpose other than that for which it was specifically assigned, shall render void any privilege granted the assignee. [103—10.]

Sec. 599. Stalls and fixtures, altering, etc., of.—No person shall alter, disfigure, add to, or change the structure of any stall or market fixture without written permission from the chief of the department of sanitation and transportation. [103—11.]

Sec. 600. Assignment to allotted space necessary.—No person shall sell, offer for sale, or expose for sale any article or articles in any public market, or use or occupy any stand, stall, or allotted space in or about any public market, without first having been assigned to such place by the market employees authorized to make such assignment. [103—12.]

Sec. 601. Rules for assignment.—(a) **Tags:** Vendors assigned stands, stalls, or allotted space in any public market shall be given a ticket or tag showing thereon the number of said stand, stall, or allotted space, and such assignment tickets or tags shall not be transferable.

(b) **Changes:** The chief of the department of sanitation and transportation or his authorized representatives, without a justifiable motive, shall not change any assignment they have made if the holder of a stall asks for the reassignment to him of the same stall for the next day and has paid the rent within the hours fixed for making this collection.

(c) **Failure to pay rent:** Any reassignment of a stall for which rent has not been paid as in this section set forth shall be null and void, and the stall shall be available for rent to the first one applying for it the next day. [103—13.]

Sec. 602. Articles allowed to be sold.—No person shall expose or offer for sale in any public market any wares, merchandise, or manufactured goods other than fish, sea food, vegetables, fruit, cereals, nuts, meat, poultry, game, or food stuffs, including cooked foods, which are intended for human consumption. [103—14.]

Sec. 603. Health of vendors and employees.—No person known to be affected with any dangerous communicable disease shall be

permitted to engage in business in any public market, or be employed therein in any capacity. [103—15.]

Sec. 604. Peddling and hawking not permitted.—No person shall peddle, hawk, sell, offer for sale, or expose for sale any articles in the passageways or aisles used by purchasers in any public market. [103—16.]

Sec. 605. Loafing, loitering, and begging not permitted.—No person, not having lawful business in or about any public market, shall idly sit, lounge, walk, or lie in or about any public market, nor shall any person beg, solicit alms, or take up subscriptions in or about any public market. [103—17.]

Sec. 606. Obstruction of employees.—No person shall resist or obstruct market employees in the execution of their duties. [103—19.]

Sec. 607. Removal of persons from public markets.—Any person, in any public market, who fails to comply with the ordinances, rules, or regulations, pertaining to public markets, may be ejected therefrom; and it shall be the duty of the police officers to effect the removal of all such persons, effects, and wares, when called upon to do so, by the chief of the department of sanitation and transportation or his authorized representatives. [103—20.]

Sec. 608. City not responsible for stall holders' losses.—The city of Manila shall not be responsible to stall holders for any losses or damages which said stall holders may incur in public markets by reason of fire, theft, or other cause, and any merchandise or property left in the public markets during the hours the public markets are closed shall be at the risk of the stall holders: *Provided, however,* That it shall be the duty of the employees of the public markets to exercise reasonable care to prevent the loss of private and public property in any public market, and they are authorized to apprehend and turn over to the police any person or persons caught stealing in the public markets. [103—21.]

Sec. 609. Rates for stalls, etc.—The Municipal Board shall, from time to time, determine the rates per diem to be paid for the use of all stalls, stands, or allotted spaces in each public market. [103—22.]

Sec. 610. City assessor and collector's duties.—(a) **Collection of rents; collectors detailed:** The city assessor and collector shall cause to be collected from the vendors assigned to stalls, stands, or allotted space in the public markets, the prescribed per diem rents, and shall detail for the respective public markets as many collectors as the Municipal Board may approve, and each collector so detailed shall give suitable bond and wear a distinctive uniform or badge.

(b) **Form of stub, receipt, and coupon ticket:** The form of stub, receipt, and coupon ticket marked "Exhibit A," on file in the office of the secretary of the Municipal Board, shall be used in Quinta Market for daily and weekly collections; and shall be used in such

other public markets as the Municipal Board may from time to time designate.

(c) **Form of triplicate punch ticket, white:** The form of triplicate punch ticket, marked "Exhibit B," on file in the office of the secretary of the Municipal Board, shall be used when printed on white paper for both daily or weekly rentals and for one or more spaces not exceeding the maximum allowed, in such public markets as the Municipal Board may from time to time designate.

(d) **Form of triplicate punch ticket, colored.**—The form of triplicate punch ticket, marked "Exhibit B," on file in the office of the secretary of the Municipal Board, shall be used, when printed on distinctive colored paper, for all rentals in the public markets where revenue is twice or oftener obtained for the same space for the same period, which would result when a stall holder surrenders the space before the expiration of the full period for which he prepaid. [103—23.]

Sec. 611. Duties of collectors.—(a) **Collection of rents:** The collectors of the respective markets shall collect for either daily or weekly periods at the option of the stall holder, from all vendors assigned therein the prescribed per diem rent for each and every stall, stand, or allotted space, by number, occupied by them, on each and every market day or part of a market day if collected daily, and on the first day of the weekly period if collected weekly; shall pay over the same to the city assessor and collector; and shall render a true and just account thereof in such manner as the Insular Auditor may direct or approve: *Provided*, That no collector shall be given any administrative power not pertaining to his specific duties.

(b) **Receipt slips and coupon tickets given to vendors:** The collectors shall, upon payment of the lawful tariff rent, deliver to the vendor the receipt slip or slips for the specified numbered space or spaces for the specified period for which rented, and the corresponding coupon ticket for each receipt slip, which coupon ticket shall be placed by the vendor upon the corresponding number plate for each allotted space as an evidence of payment. [103—24.]

Sec. 612. Failure to pay rent of stalls.—Whenever any occupant or assignee of any stall, stand, or allotted space in the public markets shall fail to promptly pay the collector, upon demand, the prescribed per diem rent for such stall, stand, or allotted space, the privilege for the use thereof shall be rendered void; and if any stall, stand, or allotted space shall have been occupied by any person assigned thereto who shall fail or refuse to pay the per diem rent thereof, such person shall be liable to the city of Manila for the prescribed per diem rent. [103—25.]

Sec. 613. Shanties and structures prohibited.—No shanty or structure in the nature of an independent room shall be permitted in or

about the public markets other than the building authorized for offices of employees or other municipal purposes. [103—27.]

Sec. 614. Refuse where placed.—Stall holders shall not place refuse on the floor, stalls, or any place other than in the garbage cans provided therefor. [103—28.]

Sec. 615. Police officers' duties.—It shall be the duty of the police officers to attend at the several public markets of the city in such order of rotation and subject to such rules and regulations as may be prescribed, and during the prescribed time of such attendance to aid and assist the employees of the said public markets respectively in preserving order therein and enforcing the provisions of this title. [103—26.]

TITLE 10.

OFFENSES.

Chap.

- 64. Offenses against public morals.
- 65. Offenses against public peace.

Chap.

- 66. Offenses against public safety.
- 67. Offenses against property.

CHAPTER 64.

OFFENSES AGAINST PUBLIC MORALS.

Sec.

- 616. Cruelty to animals.
- 617. Indecent acts.
- 618. Obscene advertising.
- 619. Intoxication.
- 620. Vagrancy; penalty.
- 621. Gambling devices, maintenance of.
- 622. Gambling devices, possession, etc., of.

Sec.

- 623. Frequenting, or acting as banker, etc., of gambling house.
- 624. Penalty; confiscation.
- 625. Faro, roulette, and other games of chance; penalty.
- 626. Minors, prohibitions as to.
- 627. The United States flag, use for advertising.

Sec. 616. Cruelty to animals.—It shall be unlawful to overdrive, overload, torture, torment, or cruelly neglect to provide with necessary sustenance or shelter, or to cruelly beat or needlessly mutilate, or kill, or cause, or procure to be overdriven, overloaded, tortured, tormented, or deprived of necessary sustenance, or to be cruelly beaten, or needlessly mutilated or killed, as aforesaid, any living creature.

Sec. 617. Indecent acts.—No person shall be or appear in or upon any street, avenue, alley, park, public place, or place open to public view, or aboard any vessel, launch, lighter, casco, barge, or other form of water craft, in any indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of an unseemly, obscene, or filthy act, or any lewd, indecent, immoral, or insulting conduct, language, or behavior; or shall exhibit, circulate, distribute, sell, offer or expose for sale, or give or deliver to another, or cause the same to be done, any lewd, indecent, or obscene book, picture, pamphlet, card, print, paper, writing, mold, cast, figure, or any other thing; or shall exhibit or perform, or cause or allow to be exhibited or performed, in or upon any house, building, lot, or premises owned or occupied by him, or under his management or control, any lewd, indecent, or immoral play or other representation.

Sec. 618. Obscene advertising.—It shall be unlawful to post any bill, placard, or other advertisement containing pictures or illustrations of an obscene or immoral character. [93—33.]

Sec. 619.¹ Intoxication.²—No person shall be drunk or intoxicated, or behave in a drunken, boisterous, rude, or indecent manner in any public place, or place open to public view; or be drunk or intoxicated, or behave in a drunken, boisterous, rude, or indecent manner in any place or premises, to the annoyance of another person. [28—2.]

Sec. 620. Vagrancy; penalty.³—Any person who has no visible means of support and lives without lawful employment; or who keeps a house of public gambling or gaming; or of prostitution; or who is a common gambler or prostitute; or who, for the most part, maintains himself by gambling or begging; or who habitually idly loiters about, or wanders abroad, visiting or staying about hotels, cafés, drinking saloons, houses of ill repute, gambling houses, railroad depots, wharves, public waiting rooms, or parks; or who lodges in outhouses, hallways, market places, sheds, stables, unoccupied houses, lumber yards, or in the open air, not giving a good account of himself; or who habitually accompanies prostitutes or other persons of notoriously bad repute; or who wanders abroad and begs or places himself in the streets or other public places to beg by look, word, or sign, or to receive alms; or who, being diseased, maimed, or deformed so as to be an unsightly or disgusting object exhibits himself in a public street or place; or who is found in or about any dwelling house, warehouse, coach house, stable, or outhouse, or in any inclosed yard, garden, or area, for any unlawful purpose, shall be deemed a vagrant, and, upon conviction thereof, shall be punished by a fine of not more than two hundred pesos, or by imprisonment for not more than six months, with or without hard labor, on the streets or elsewhere, or by both such fine and imprisonment in the discretion of the court, for each offense. [27—1.]

Sec. 621.⁴ Gambling devices, maintenance of.—No person shall

¹ **Validity of secs. 619, 628, 635, 642, 643, 651.**—Defendant accused of sodomy; convicted, and appeal to Supreme Court allowed on ground that validity of city ordinance involved; Ordinance No. 28, above sections hereof, held valid: *U. S. v. Trinidad*, 7 Phil., 325.

² **Intoxication; plea of jeopardy.**—See note to sec. 42, Manila Charter, p. 52.

³ **Vagrancy.**—The above section is practically similar to sec. 1, Act No. 519 of the Philippine Commission, construed by Supreme Court in the following cases: *U. S. v. Choa Chi Co*, 3 Phil., 678; *U. S. v. Gandole et al.*, 6 Phil., 253.

⁴ **Validity of secs. 621-625.**—By sec. 17 (*n*) of Manila Charter, p. 33, city was given authority to enact; city may enact ordinances upon same subject upon which the State has legislated; such legislation must be in harmony with the State law; Ordinances Nos. 2 and 34, secs. 621 to 625 hereof, held not in conflict with art. 343, Penal Code: *U. S. v. Chan-Cun-Chay*, 5 Phil., 385.

Since this decision was handed down, the Philippine Commission has enacted Act No. 1757 on gambling by which arts. 343 and 579, Penal Code, and art. 1801, Civil Code, have been expressly repealed. Whether secs. 621 to 625 hereof would now be held invalid because not "in harmony with the State law," *quære*.

set up, keep, or maintain, or permit to be set up, kept, or maintained, on any premises occupied or controlled by him, any table or other instrument or device for the purpose of gaming or gambling, or with which money, liquor, or anything of value shall in any manner be played for. [2—1.]

Sec. 622. Gambling devices, possession, etc., of.—No person shall bring into the city, expose in a street or public place, or have in his possession for the purpose of gaming or gambling any table, instrument, or device of any kind whereon or with which money or other thing of value may in any manner be played for. [2—2.]

[See U. S. v. Que Bing et al., 6 Phil., 513, and note to last preceding section.]

Sec. 623. Frequenting, or acting as banker, etc., of gambling house.—No person shall frequent, visit, become an inmate of, solicit, run, or act as banker, dealer, agent, or doorkeeper for any house, store, hall, clubroom, or other place where any game of chance is conducted, or where is kept any table, instrument, or device of any kind used for gaming or gambling whereon or with which money or other thing of value may in any manner be played for. [2—3.]

[See note to sec. 621 hereof.]

Sec. 624. Penalty; confiscation.—A violation of any of the provisions of the last three preceding sections shall be punished by a fine of not more than two hundred pesos, or by imprisonment for not more than six months, or by both such fine and imprisonment in the discretion of the court, for each offense. All money and every table, instrument, or other device used, set up, kept, or maintained for the purpose of gaming or gambling shall be seized and confiscated. [2—4; 34—1.]

[See note to sec. 621 hereof.]

Sec. 625. Faro, roulette, and other games of chance; penalty.—No person shall play or engage in faro, roulette, or any other device or game of chance or hazard in which money or other thing of value is in any manner played for, under a penalty of not more than two hundred pesos, for each offense. [2—5.]

[See note to sec. 621 hereof.]

Sec. 626. Minors, prohibitions as to.—(a) **Purchases from, by second-hand dealers:** No dealer in second-hand articles or keeper of a junk shop shall purchase any goods, articles, or thing whatsoever, except rags and waste paper, from any minor under the age of fifteen years.

(b) **Employment by pawnbrokers:** No pawnbroker shall have or employ any person under the age of fifteen years to take or receive any article or thing in pledge or pawn.

(c) **Frequenting of pool rooms:** No person who keeps or operates billiard or pool tables or maintains billiard or pool rooms shall

permit or allow any minor under the age of fifteen years to play thereon or use any such tables, or to be or remain in or frequent said rooms. [93—45, 144, 190.]

Sec. 627. The United States flag, use for advertising.—It shall be unlawful to print, paint, paste, or mark any advertisement upon the flag of the United States, or paint or otherwise represent said flag upon any house, wall, fence, or other place for the purpose of advertising. [93—32.]

CHAPTER 65.

OFFENSES AGAINST PUBLIC PEACE.

Sec.

628. Breaches of the peace.

629. Maintenance of order in public markets.

630. Resisting officer.

631. Bells and criers at auctions.

RINGING OF BELLS AND BLOWING OF WHISTLES.

Sec.

632. Prohibition between 8 p. m. and 6 a. m.

633. Limitation between 6 a. m. and 8 p. m.

634. Provisos as to tolling of bells, etc.

Sec. 628. Breaches of the peace.—No person shall make, aid, countenance, or assist in making any riot, affray, disorder, disturbance, or breach of the peace; or assault, beat, or use personal violence upon another without just cause in any public place; or utter any slanderous, threatening, or abusive language or expression; or exhibit or display any emblem, transparency, representation, motto, language, device, instrument, or thing; or do any act, in any public place, meeting, or procession, tending to disturb the peace or excite a riot; or collect with other persons in a body or crowd for any unlawful purpose; or disturb or disquiet any congregation engaged in any lawful assembly. [28—1.]

[See note to sec. 619 hereof.]

Sec. 629. Maintenance of order in public markets.—No person, within any of the public markets of this city, shall commit any nuisance, or shall be guilty of any lewd, lascivious, or disorderly conduct, or make any loud or boisterous noises, or use any profane or vulgar language, or stand about without business and obstruct the passageways of any public market or do any act which is calculated to lead to a breach of the peace or which tends to disturb the good order and decorum thereof. [103—18.]

Sec. 630. Resisting officer.—It shall be unlawful for any person to resist any member of the police force in the discharge of his duty, or to in any way interfere with, hinder, or prevent him from discharging his duty as such member, or to assist any person to

escape or attempt to escape from the custody of any member of the police force, or to attempt to rescue any person in custody. [7 P. M. G.—9.]

Sec. 631. Bells and criers at auctions.—No bell or crier, or other means of attracting bidders by the use of noise or show, other than a sign or flag, shall be employed or suffered or permitted to be used, except between the hours of seven and ten o'clock postmeridian at or near any place of sale, or at or near any auction room or near any auction whatsoever. [93—38.]

RINGING OF BELLS AND BLOWING OF WHISTLES.

Sec. 632. Prohibition between 8 p. m. and 6 a. m.—No person shall, between the hours of eight o'clock postmeridian and six o'clock antemeridian, ring any church bell or other bell of loud or disturbing tone, or blow any steam whistle, or permit, abet, or encourage any of said acts, to the annoyance of any other person. [63—1.]

Sec. 633. Limitation between 6 a. m. and 8 p. m.—No person shall, for more than three minutes in any hour between six o'clock antemeridian and eight o'clock postmeridian ring any church bell or other bell of loud or disturbing tone, or blow any steam whistle, or permit, abet, or encourage any of said acts. [63—2.]

Sec. 634. Provisos as to tolling of bells, etc.—The provisions of the last two preceding sections shall not be construed to prohibit the tolling of bells at the funeral of a deceased person, nor the ringing of such bells or the blowing of such whistles as may be customary and necessary for purposes of navigation; nor the sounding of alarm and signals in case of fire or of general disaster; nor the sounding of the hours and quarters by clock bells; nor the ringing of bells, the blowing of whistles, or the making of other noises on occasions of general festivity. [63—3.]

CHAPTER 66.

OFFENSES AGAINST PUBLIC SAFETY.

Sec.	Sec.
635. Baseball, flying kites, and other games in streets.	641. Obstruction of railways by vehicles.
636. Speed limit on streets.	642. Throwing stones.
637. Racing.	643. Throwing water, etc., into streets.
638. Impersonating officer.	644. Use of barbed-wire fences.
639. Misuse of and obstruction of approach to police and fire alarm apparatus.	645. Removal; notice.
640. Obstruction of railways by dumps, lumber, etc.; penalty.	646. Weapons and firecrackers.
	647. Manufacture of gunpowder, dynamite, etc.

Sec. 635. Baseball, flying kites, and other games in streets.—No person shall play or participate in any game of ball, or fly any kite in any public street or place; or play or participate in any game, sport, or exercise, or indulge in any conduct in any public street or place, having a tendency to obstruct such public street or place, or to annoy persons or frighten animals passing or being upon such public street or place, or upon adjacent premises. [28—3.]

[See note to sec. 619 hereof.]

Sec. 636. Speed limit on streets.—It shall be unlawful to ride or drive any unbroken or unruly horse or other animal on the public street; or to ride or drive on any public street at a greater rate of speed than eight miles an hour; or on any narrow or crowded street, bridge, street intersection or crossing, at a greater speed than five miles an hour; and this speed shall be further reduced whenever the condition of a street or its occupants renders it necessary. [11 P. M. G.—17.]

Sec. 637. Racing.—It shall be unlawful to run or race any horse or other animal, or consent to such racing, on a public street, alley, or avenue, for any trial of speed, or for the purpose of passing any other horse or animal, whether or not such racing be for the purpose of deciding any stake, bet, or challenge. [11 P. M. G.—19.]

Sec. 638. Impersonating officer.—It shall be unlawful for any person to impersonate, or falsely represent, any member of the police force, or maliciously, or with intent to deceive, to use or imitate any of the designs, signals, or other devices adopted and used by the police force, or, not being a member of the same, to wear in public the uniform or insignia adopted for the use of the police force. [7 P. M. G.—10.]

Sec. 639. Misuse of and obstruction of approach to police and fire alarm apparatus.—No person shall destroy, mutilate, tamper with, deface, send any false alarm over, or otherwise injure or wrongfully use any apparatus or any part of any of the police alarm

or fire alarm systems; nor shall any person obstruct the approach to any such apparatus or any part thereof, by halting a conveyance in front of the same, or otherwise. [43—1.]

Sec. 640. Obstruction of railways by dummies, lumber, etc.; penalty.—It shall be unlawful for any person or persons to place or cause to be placed any dummy, stuffed suits, stone, stick, lumber, metal, or any other obstruction of any material whatsoever, upon or near any street or electric railway, or in any way obstruct the passage of cars on said railways by running in front of and “cutting off” the same, or to hinder or obstruct in any way the free and safe passage of cars thereon. Any person or persons violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not more than one hundred pesos. [81—14.]

Sec. 641. Obstruction of railways by vehicles.—It shall be unlawful for any person or persons to willfully obstruct, hinder, or interfere with any railway cars, by placing, driving, or stopping, or causing to be placed, or driven at a slow pace, or stopped, any team, vehicle, or other obstacle, in, upon, across, along, or near the track of said railway, or either of them, after being notified by the motorman or conductor by the ringing of the gong, or otherwise. [81—15.]

Sec. 642. Throwing stones.—No person shall throw or cast any stone or other missile from or into any public street or place. [28—4.]

[See note to sec. 619 hereof.]

Sec. 643. Throwing water, etc., into streets.—No person shall throw or deposit water or other liquid in any public street or place, except in gutters or conduits provided for that purpose. [28—5.]

[See note to sec. 619 hereof.]

Sec. 644. Use of barbed-wire fences.—No fence or barrier consisting in whole or in part of barbed wire, or of any wire having projecting prongs, barbs, or tines, shall be built, constructed, used, or maintained in, upon, or along the line of any street, alley, or public walk or drive, or through, along, or around any public park, or any land or lot owned or controlled by the city of Manila. [19—1.]

Sec. 645. Removal; notice.—Whenever any fence or barrier is now or in the future built, constructed, used, or maintained, consisting in whole or in part of barbed wire, or of any wire having projecting prongs, barbs, or tines, such wire shall be removed; and any person building, constructing, using, maintaining, owning, or controlling the same shall remove such wire within thirty days from the date of his receipt of a written notice to him to do so from the chief of the department of engineering and public works. [19—2.]

Sec. 646. Weapons and firecrackers.—It shall be unlawful for any unauthorized person to carry a weapon of any kind, or to fire the same, or any torpedo, firecracker, or other explosive in the public street. [11 P. M. G.—32.]

Sec. 647. Manufacture of gunpowder, dynamite, etc.—It shall be unlawful to engage in or conduct any business for the manufacture of gunpowder, dynamite, or other explosive, combustible, or dangerous materials. [93—129.]

CHAPTER 67.

OFFENSES AGAINST PROPERTY.

Sec.	Sec.
648. Altering, etc., of certificates on electric meters.	655. Posting bills on private buildings; complaints.
649. Injury to electric apparatus; tapping current; evidence.	656. Defacing bills.
650. Interference with telegraph poles and wires and other property; reporting.	657. Water from public fountains; penalty.
651. Injuring shrubbery, buildings, etc., of city.	658. Injuring property of water supply, etc.; penalty.
652. Desecrating graves, etc., in cemeteries.	659. Breaking seals of meters, etc.; penalty.
653. Unlawful acts in parks.	660. Injury and interference with post hydrants; penalty.
654. Posting bills upon public buildings; scattering bills.	661. Property in hands of police.
	662. Enforcement of chapter.

Sec. 648. Altering, etc., of certificates on electric meters.—No person other than the city electrician or his assistant shall deface, alter, or remove any certificate, card, or stamp placed by the city electrician upon any electric meter, or place upon any such meter a certificate, card, or stamp purporting to be that of the said city electrician. [68—8.]

Sec. 649. Injury to electric apparatus; tapping current; evidence.—No person shall destroy, mutilate, deface, or otherwise injure or tamper with any wire, meter, or other apparatus installed or used for generating, containing, conducting, or measuring electricity, telegraph, or telephone service, nor tap or otherwise wrongfully deflect or take any electric current from such wire, meter, or other apparatus.

No person shall, for any purpose whatsoever, use or enjoy the benefits of any device by means of which he may fraudulently obtain any current of electricity or any telegraph or telephone service; and the existence in any building or premises of any such device shall, in the absence of satisfactory explanation, be deemed sufficient evidence of such use by the persons benefiting thereby. [99—1.]

Sec. 650. Interference with telegraph poles and wires and other property; reporting.—It shall be unlawful to remove, deface, or in any way interfere with any telegraph, telephone, fire-alarm, or electric-light poles or wires, or any property which has been placed in the streets for the convenience and safety of the public. It shall be the duty of owners of property to report defects or nuisances in the public streets adjoining such property. [11 P. M. G.—33, 34.]

Sec. 651. Injuring shrubbery, buildings, etc., of city.—No person shall wrongfully cut, mark, deface, obstruct, or injure any tree, grass, shrub, street, walk, gutter, sewer, drain, culvert, water pipe, hydrant, building, fence, wall, or other property; and no person shall take away, alter, or remove any other property of the city of Manila. [80—1.]

[See note to sec. 619 hereof.]

Sec. 652. Desecrating graves, etc., in cemeteries.—No person shall destroy, injure, or deface any grave, vault, tombstone, monument, inclosure, building, fence, basin, fountain, seat, flower, tree, shrub, or other thing belonging to any cemetery in the city of Manila. [69—11.]

Sec. 653. Unlawful acts in parks.—It shall be unlawful for any person to shoot birds, by any air gun or other means, in any park or other public place, or to throw stones or other missiles therein; nor shall any person disturb the fish or water fowl in any lake, stream, pool, or pond in any part of any park or other public place, or annoy, strike, injure, maim, or kill any birds or other animals kept by or under the direction of the officer in charge of parks, either running at large or confined in any close or cage; nor shall any person cut, break, or in any wise injure or deface the trees, shrubs, plants, flowers, turf, or any of the buildings, structures, fences, seats, benches, or statuary, or in any way defoul or pollute any fountain, lake, stream, pool, pond, well, or spring within any park or other public place; nor shall any person injure, deface, or destroy any notices, rules, or regulations for the government of any park or other public place which are posted or affixed by order or permission of the Municipal Board within the limits of any park or other public place in the city of Manila.

Sec. 654. Posting bills upon public buildings; scattering bills.—It shall be unlawful to post, paint, stamp, or otherwise affix any bill, poster, placard, notice, sign, or advertisement to or upon any telegraph, telephone, fire-alarm, or electric-light pole, fire hydrant, tree, or other thing, in any street or public place, or upon any part of a public building; or to distribute, cast, throw, or place in, upon, or along any street or public place any handbills, pamphlets, circulars, books, or advertisements for the purpose of advertising or making known any business, occupation, trade, profession, medicine, or anything whatsoever. [93—29.]

Sec. 655. Posting bills on private buildings; complaints.—It shall be unlawful to post, paint, stamp, or otherwise affix any bill, poster, placard, notice, or sign to or upon any private house, wall, fence, gate, sidewalk, trees, or boxes around trees without first obtaining permission, in writing, of the owner, agent, or occupant of the premises; and the person named in or authorizing the publication of any such bill, poster, placard, notice, or sign shall remove the same at the request of said owner, agent, or occupant within twenty-four hours after such request: *Provided*, That no arrests shall be made for violations of this section except upon complaint of the owner, agent, or occupant of the property affected. [93—30.]

Sec. 656. Defacing bills.—It shall be unlawful to remove, destroy, obliterate, or deface any bill, poster, placard, notice, or sign lawfully posted by a licensed billposter. [93—31.]

Sec. 657. Water from public fountains; penalty.—Water shall be taken from public fountains in large, open-mouthed vessels only. It shall be unlawful to use for this purpose hose connections, troughs, pipes, or other means. Any person violating any provision of this section shall, upon conviction thereof, be punished by a fine of not more than twenty pesos. [46—1.]

Sec. 658. Injuring property of water supply, etc.; penalty.—It shall be unlawful to bathe in or at a public fountain, to damage the public service, to destroy or remove the parts of any public hydrant, or otherwise to injure the property of the water supply. Any person violating any provision of this section shall, upon conviction thereof, be punished by a fine of not more than ten pesos, in addition to indemnification for all damage done. [46—1.]

Sec. 659. Breaking seals of meters, etc.; penalty.—No person other than a representative of the office of water supply shall break the seal of a meter, or of a fire hydrant except in case of fire; nor shall a concessioner permit such breaking of the seal of a meter or fire hydrant supplied to him; nor shall any person make any unauthorized connection with the city distributing system; nor shall any person open a stop ordered closed by the officers of the water supply. Any person violating any provision of this section shall, upon conviction thereof, be punished by a fine of not more than fifty pesos, for each offense. [46—1.]

Sec. 660. Injury and interference with post hydrants; penalty.—No person shall break, injure, or in any way interfere with a post hydrant, and no person other than employees of the water supply and fire departments shall open the caps, turn the valves, attach hose, or draw water from the same: *Provided, however*, That employees of the street-sprinkling system may make connection to such of the post hydrants as shall be designated for that purpose by the superintendent of water supply, but only in such manner as shall be designated by him. Any person violating any provision of this

section shall, upon conviction thereof, be punished by a fine of not more than one hundred pesos, or by imprisonment for not more than thirty days, or by both such fine and imprisonment, in the discretion of the court. [61—1.]

Sec. 661. Property in hands of police.—All property found, seized, recovered, or in any way coming into the possession of the police, shall be deposited and kept in a place and by an officer designated by the chief of police, who shall be held responsible for the same. Such property may be returned to the owner, by order of any court having jurisdiction, or in the discretion of the chief of police, under receipt, when not further required as evidence in any case. If such property is not returned to or claimed by some person entitled to receive the same, within three months, it shall be sold at public auction, after due notice under direction of the chief of police, and the proceeds paid into the city funds: *Provided*, That this section shall not apply to any table, instrument, device, or other thing used for the purpose of gambling, all of which shall be governed by the provisions of section six hundred and twenty-four hereof. [7 P. M. G.—13.]

Sec. 662. Enforcement of chapter.—It shall be the duty of the police of the city, and of all persons in the employ of the city having police power, to enforce the provisions of this chapter and to arrest all persons violating the same. [46—1.]

TITLE 11.

PUBLIC HEALTH.

Chap.	Chap.
68. Entry and inspection of buildings and premises.	77. Water.
69. Ground surfaces.	78. Dangerous communicable diseases.
70. Latrines and other receptacles for offensive substances.	79. Waterways and vessels therein.
71. Garbage and rubbish.	80. The filling in of lowlands.
72. Overcrowding.	81. Humane care of unfortunates.
73. Hotels, lodging and tenement houses.	82. Marriages and births.
74. Bakeries, dairies, and public laundries.	83. Offensive and unwholesome trades, businesses, and occupations.
75. Barbering.	84. Sanitary regulation of licenses.
76. The manufacture and sale of food and drink.	85. Nuisances.
	86. Violations.

CHAPTER 68.

ENTRY AND INSPECTION OF BUILDINGS AND PREMISES.

Sec.	Sec.
663. Authority of medical inspectors between certain hours.	666. Interference and false representation.
664. Medical inspectors' powers; special orders.	667. Sanitary maintenance.
665. Emergency cases no special order; proviso, publication.	668. Sanitary orders.
	669. Insanitary conditions; violations.

Sec. 663. Authority of medical inspectors between certain hours.—Any medical inspector or agent of the Bureau of Health, or any police officer in uniform acting as a sanitary inspector, shall have the authority, after properly announcing the purpose of his visit, to enter any building or premises, or part thereof, in the city of Manila between the hours of eight and twelve o'clock antemeridian and two and six o'clock postmeridian to see whether nuisances exist in the premises and to inspect the sanitary condition thereof. [86—1.]

Sec. 664. Medical inspectors' powers; special orders.—The Director of Health, as well as his medical inspectors when provided with

a special order of the Bureau of Health for that purpose are empowered, after properly announcing the purpose of the visit, to enter and inspect any building or premises in the city of Manila at any hour of the day or night for the purpose mentioned in the last preceding section; and also to ascertain if there exists overcrowding; to isolate, remove, or care for persons or animals suffering from epidemic diseases, and, should it prove necessary, to disinfect the rooms, places, premises, effects, and articles which might have been infected by the presence of the said persons or animals. [86—2.]

Sec. 665. Emergency cases no special order; proviso, publication.—In cases of emergency—that is, in case of an invasion or declaration of an epidemic or other immediate danger to the public health—the Bureau of Health shall have ample power to authorize its medical inspectors to enter and inspect premises, places, and buildings at any hour of the day or night without the special order required in the last preceding section where it may be reasonably suspected there exists epidemic sources, for measures of disinfection and even of destruction, should it be deemed proper, of the articles used by the patients or of things which might have been infected and might serve as a vehicle of contagion: *Provided*, That the provisions of this section only become effective when the Director of Health publishes in the local newspapers that an emergency exists. [86—3.]

Sec. 666. Interference and false representation.—Any person who shall resist or in any way interfere with any officer, employee, or agent of the Bureau of Health in the performance of his duty, or who shall impersonate or falsely represent any officer, employee, or agent of the Bureau of Health, or wear without authority any uniform, badge, or insignia adopted by the Director of Health, or who shall deface, change or alter, falsify, remove, or destroy any sanitary card, notice, or marking placed in or on any building, premises, or place, or part thereof, or delivered to any person thereat by the Director of Health or his duly authorized agent, or any person in charge of any building, premises, or place, or part thereof, who shall knowingly permit or allow the same to be done, shall upon conviction be guilty of a violation of this title without prejudice to liability of prosecution under the criminal law. [86—4.]

Sec. 667. Sanitary maintenance.—It shall be the duty of the owner, agent, or other person having authority over any domestic or public building, restaurant, tenement house, prison, theater, factory, workshop, jail, convent, hospital, church, school, market, bakery, confectionery, dairy, manufactory of aerated water, bottled or other drink, or of ice, food-preserving establishment, or other place where food or drink is sold, prepared, or offered for sale, to keep the same in a reasonably cleanly and sanitary condition

at all times. This section shall also apply to carriages, cars, wagons, and all other vehicles. [86—5.]

Sec. 668. Sanitary orders.—It shall be the duty of the owner, agent, or other person in charge of any premises, buildings, or places declared to be in an insanitary condition by the Director of Health, or his authorized representatives, to comply with any order duly issued according to the provisions of this title for repairs, improvements, alterations, or construction necessary to place the same in a sanitary condition within such time as may be specified in said order: *Provided*, That in no case should the time limit exceed thirty days, except by written permission of the Director of Health. All such orders shall be specific and definite. [86—6.]

Sec. 669. Insanitary conditions; violations.—Any owner or agent of a building or premises when notified by the Director of Health that any cellar, room, tenement, or building occupied as a dwelling place has become, by reason of the number of occupants, want of cleanliness, or other cause, unfit for such purpose and a cause of nuisance or sickness to the occupants or the public, shall cause the premises to be put in a proper condition; and the Director of Health may require the occupants to quit the premises within such time as he may deem reasonable. If the persons so notified, or any of them, neglect or refuse to comply with the terms of the notice they shall, upon conviction, be guilty of a violation of this title. If the premises are closed the same shall not again be occupied as a dwelling place without the consent in writing of the Director of Health.

It shall be a violation of this title, punishable as hereinafter in chapter eighty-six hereof provided, to let or sublet, or suffer or permit to be used as a habitation for occupancy by man or animal, any place, premises, building, or part thereof, which the Director of Health shall declare to be unfit by reason of inadequate ventilation, drainage, or other insanitary cause, until such place, premises, building, or part thereof, shall be placed in a sanitary condition satisfactory to the Director of Health. [86—7.]

CHAPTER 69.

GROUND SURFACES.

Sec.

670. Concreting.

Sec.

671. Disturbance, repairs.

Sec. 670. Concreting.—The ground surface of every building used for human habitation; of every basement, area, cook house, latrine, or open surface connected therewith such as courtyards, alleyways, or spaces on which slops may be thrown, or from which foul waters flow; and the ground of every stable, cow shed, or

other building in which animals are kept shall be properly covered over with a layer of good cement concrete not less than ten centimeters thick, finished off smooth, with not less than one-half centimeter of cement mortar, or with hard glazed bricks or granite paving or glazed tiles, jointed in cement mortar or with such other material as may be approved by the Director of Health, except that the cementing of ground areas of wooden buildings, or of buildings of light materials which are without continuous underpinning and whose floors shall have the required height above the ground, shall not be obligatory. [86—9.]

Sec. 671. Disturbance, repairs.—Where the ground surface of any domestic building or of any cook house, latrine, or open surface connected therewith, such as back yards, courtyards, or spaces on which slops may be thrown or from which foul waters flow or of any stable, cow shed, or other building in which animals are kept, is or has been subsequently broken, excavated, or otherwise disturbed, the landlord or owner shall repair the same to the satisfaction of the Director of Health within such time as he may prescribe. [86—10.]

CHAPTER 70.

LATRINES AND OTHER RECEPTACLES FOR OFFENSIVE SUBSTANCES.

Sec.	Sec.
672. Collection and disposal of noxious substances.	680. Construction of inclosures.
673. Condemnation of closets.	681. Privy accommodations.
674. Approval of design.	
675. Construction of receptacles.	PUBLIC LATRINES.
676. Precautions in removal of putrid materials.	682. Location.
677. Maintenance of boats, vehicles, and implements.	683. Repair and condition.
678. Foreign substances.	684. Walls and fittings.
679. Duty of occupants and owners.	685. Lighting.
	686. Misusing and defacing.

Sec. 672. Collection and disposal of noxious substances.—The collection and disposal of human excreta and of all other noxious and offensive substances in the city of Manila shall be under the direction of the department of sanitation and transportation.

The collection of human excreta by means of pails shall take place daily and not before eight o'clock postmeridian. [86—70.]

Sec. 673. Condemnation of closets.—Whenever the Director of Health shall declare that any water or earth closet, privy, vault, cesspool, or latrine is offensive or dangerous to health he may order the owner or agent of said premises to place the same in a satisfactory condition, within a reasonable period, in his discretion; and if

deemed advisable, he may order such vault, cesspool, or latrine to be closed and the pail-conservancy system installed until the necessary repairs are completed. [86—71.]

Sec. 674. Approval of design.—Every water or dry-earth closet, vault, cesspool, or similar receptacle intended for the reception of human fecal matter or urine must be in accordance with a design approved by the Director of Health: *Provided*, That no vault, cesspool, pit, or filter bed shall be allowed nearer than eight meters to a cistern or well unless permission is granted by the Director of Health. [86—72.]

Sec. 675. Construction of receptacles.—No cesspool, vault, privy, or any other receptacle intended for the reception of human fecal matter and urine shall be constructed in such a way that the contents of said cesspool, vault, privy, or receptacle shall reach any waterway, estero, gutter, sewer, yard, street, alley, or passageway in the city of Manila except by means of an overflow, said overflow to be so installed that no solid matter shall pass from said receptacle. The Director of Health may cause the removal of any cesspool, vault, privy, or receptacle already constructed not in conformity with the provisions of this section whenever he shall decide that the same is a nuisance and a menace to the public health; and when the use of any privy, vault, or cesspool is discontinued such vault or cesspool must be cleaned to the bottom, disinfected, and filled up with clean earth or other suitable material under the supervision of a representative of the Bureau of Health. Existing installations shall not be removed without hearing the interested parties. [86—73.]

Sec. 676. Precautions in removal of putrid materials.—It shall be the duty of every person engaged in the removal of putrid or offensive materials, night soil, the contents of any closets, vaults, privies, cesspools, and latrines, or other noxious substances to adopt such precautions as will prevent the filth from falling upon the ground, floor, street, or other place. [86—74.]

Sec. 677. Maintenance of boats, vehicles, and implements.—No casco, banca, barge, or other craft, nor any cart or other vehicle, nor the tools or implements used in the removal of putrid or offensive materials, night soil, or other noxious substances from cesspools or latrines, shall be allowed to be in a condition needlessly filthy or offensive, and when not in use, all such cascoes, bancas, barges, or other craft, carts, or other vehicles, and all implements used in connection therewith, shall be properly cleaned, then stored and kept in places approved by the Director of Health. [86—77.]

Sec. 678. Foreign substances.—No person shall deposit in any cesspool, vault, latrine, or privy in the city of Manila any foreign substance: *Provided*, That nothing in this section shall be construed to prevent the use of disinfectants or deodorants therein. [86—78.]

Sec. 679. Duty of occupants and owners.—It shall be the duty of every occupant of any premises on which a vault, cesspool, latrine, or privy is located, or, if such premises be unoccupied, of the owner or agent thereof, to keep the same and the contents thereof in an inoffensive condition at all times. [86—79.]

Sec. 680. Construction of inclosures.—Every room, closet, or shed erected for use as a water or dry-earth closet, or for the installation of a pail of the pail-conservancy system, shall be so constructed as to prevent undue exposure of the occupants thereof, and shall have a floor area of not less than one and one-half square meters, which shall be formed of cement concrete, surfaced with cement, asphalt, glazed tile properly jointed, or other approved material, and if on the ground floor its finished surface shall be at least fifteen centimeters above the level of the ground outside. Such room, closet, or shed shall be provided with a suitable door and with an opening for ventilation into the external air, of not less than sixty centimeters square in aggregate area immediately under the roof. No water-closet, privy, or latrine shall be built opening into any kitchen, or dining room, or opening into a sleeping room or into any room used as such unless provided with a tight door. Every water or dry-earth closet, vault, or cesspool, or room used for the installation of pails, shall, when practicable, be so constructed and maintained as to permit of the removal of its contents from the premises without the necessity of carrying same through a dwelling house or building where persons are employed in any trade or business. [86—80.]

Sec. 681. Privy accommodations.—Every building constructed in the city of Manila, whether public or private, intended for use as dwelling quarters, or where persons are to be employed or occupied in any trade or business, or which is to be used as a place of recreation or amusement or as a place of assembly, shall be provided with sufficient and suitable privy accommodations for the number of people dwelling therein, or who may be employed, occupied, or assembled therein: *Provided*, That all houses of strong materials and houses of light materials costing one thousand pesos or more shall have suitable and adequate privy accommodations on their premises, and houses costing less than one thousand pesos, shall be provided with public or private privy accommodations satisfactory to the Director of Health. In all public buildings, theaters, factories, and other houses used as places of assembly where persons of both sexes are employed, occupied, or assembled, sufficient, suitable, and separate privy accommodations shall be provided for each sex. It shall be unlawful for any owner or agent to put any person or persons in possession of any building or any part thereof or permit people to be employed or occupied therein or to assemble therein, unless the same is suitably and sufficiently provided with privy accommodations. [86—81.]

PUBLIC LATRINES.

Sec. 682. Location.—The city engineer, so far as practicable, shall cause public latrines to be established at such suitable places in the city of Manila as may be recommended by the Director of Health. [86—82.]

Sec. 683. Repair and condition.—Every public latrine, together with its fittings, shall be kept at all times in a thorough state of repair and in a sanitary condition. [86—83.]

Sec. 684. Walls and fittings.—The whole of the interior walls or fittings of every public latrine shall be lime-washed, painted, or otherwise protected as often as may be deemed necessary by the Director of Health. [86—84.]

Sec. 685. Lighting.—Every latrine open to the public before sunrise or after sunset shall be at all times adequately lighted. [86—85.]

Sec. 686. Misusing and defacing.—No person shall mar, misuse, defile, or deface a public latrine or urinal or attach thereto any handbill, advertisement, or drawing. [86—86.]

CHAPTER 71.

GARBAGE AND RUBBISH.

Sec.	Sec.
687. "Garbage" defined.	692. Collection of contents of receptacles.
688. "Rubbish" defined.	693. Interference with garbage or garbage collector.
689. Occupants of buildings to keep receptacles.	694. Regulating wagons for hauling refuse.
690. Receptacles, requirements as to.	695. Disposal.
691. Time to place receptacles on sidewalks; large quantities of rubbish.	

Sec. 687. "Garbage" defined.—The word "garbage" whenever used in this title shall be held to mean the refuse of such animal or vegetable matter or food supplies as were intended for human food but have been rejected for such use, and also dead animals weighing approximately less than thirty pounds, and the refuse of slaughterhouses. [86—60.]

Sec. 688. "Rubbish" defined.—The word "rubbish" whenever used in this title, shall be held to include—

(a) All waste or used paper, pasteboard, woven materials, matting, wood, straw, husks, metal cans, or other metallic vessels and broken glass or porcelain;

(b) Loose or decayed materials and dirt-like substances which

may accumulate from repairing operations or from storing or cleaning of property and goods;

(c) The dung of cattle, horses, mules, and other animals; also stable litter, refuse, and sweepings. [86—61.]

Sec. 689. Occupants of buildings to keep receptacles.—It shall be the duty of the occupant or occupants of every building, premises, or place of business within the city of Manila to provide, and at all times thereafter keep in such building or place of business or upon the premises suitable and sufficient receptacles to contain, without leakage, all the garbage and rubbish that may accumulate for each period of twenty-four hours from said building, premises, or place of business, or the portion thereof of which such person may be an occupant. [86—62.]

Sec. 690. Receptacles, requirements as to.—A separate receptacle shall be provided and kept for all garbage, and another for rubbish, and it shall be unlawful for any person or persons to place or to keep garbage in the same receptacle with rubbish, or to place or to keep any of these articles or substances in any place or vessel other than the receptacles provided therefor. All receptacles for garbage shall be made of metal, watertight, and at least thirty-five centimeters in depth by twenty-five centimeters in diameter, of such construction as to permit handling, and if the capacity is more than five gallons they shall be provided with handles. No garbage receptacles shall be filled to more than ten centimeters from the top of the receptacle. [86—64.]

Sec. 691. Time to place receptacles on sidewalk; large quantities of rubbish.—It shall be the duty of the occupant of every building, premises, or place of business to have the receptacles for garbage or rubbish placed on the outer edge of the sidewalk each day, or at the outer edge of the street if there be no sidewalk, at such time, not earlier than eight o'clock postmeridian, as may be directed by the chief of the department of sanitation and transportation: *Provided, however,* That whenever there are large or unusual quantities of rubbish or trade refuse to be removed from any building, premises, or place of business the occupant thereof shall notify the chief of the department of sanitation and transportation at least twenty-four hours before removal is necessary, in order that proper transportation may be furnished for same: *And provided further,* That whenever there are large or unusual quantities or to exceed six cart loads of rubbish, condemned goods, building or trade refuse to be removed from any building, premises, or place of business, the occupant thereof shall provide the necessary transportation and remove the same under the direction of the chief of the department of sanitation and transportation. [86—65.]

Sec. 692. Collection of contents of receptacles.—It shall be the duty of the department of sanitation and transportation to collect the contents of such receptacles, in suitable carts, daily. [86—66.]

Sec. 693. Interference with garbage or garbage collector.—No person other than the owner or an authorized collector shall interfere with or disturb any garbage after it shall have been put in a garbage receptacle and placed in an accessible place for collection; nor shall any unauthorized person molest, hinder, delay, or in any other manner interfere with any garbage collector in the discharge of his duty. [86—67.]

Sec. 694. Regulating wagons for hauling refuse.—The boxes or bodies of wagons for hauling manure or dry wastes and refuse must be sufficiently tight to prevent any leakage or escape of their contents. [86—68.]

Sec. 695. Disposal.—As soon as the wagon is loaded it must be driven at once to the specified place of disposal and on no account be allowed to stand in the vicinity of any human habitation, school-house, or place of assembly. All such materials must be disposed of within twelve hours after collection. [86—69.]

CHAPTER 72.

OVERCROWDING.

Sec.

696. Air space for occupants.

Sec.

697. Overcrowded condition, notices and abatement.

Sec. 696. Air space for occupants.—Any adult occupying any room shall have at least fourteen cubic meters of air space, unless it be shown to the satisfaction of the Director of Health that other adequate means of ventilation exist: *Provided*, That two children under ten years of age shall be counted as one adult. [86—11.]

Sec. 697. Overcrowded condition, notices and abatement.—Whenever the Director of Health shall declare any dwelling or other building, or part thereof, or any closed stable, corral, pen, pound, or other place or premises to be in an overcrowded condition, he shall serve a notice on the tenant, superintendent, owner, or agent thereof, and shall post a notice in a conspicuous place on or in such dwelling, building, or part thereof, stable, corral, pen, pound, or other place or premises, declaring that a condition of overcrowding exists; which notice shall also state the maximum number of persons or animals that may be permitted to occupy the dwelling, building, or other place declared to be overcrowded. The overcrowded condition shall be abated within ten days after the receipt of the notice by the owner. [86—12.]

CHAPTER 73.

HOTELS, LODGING AND TENEMENT HOUSES.

Sec.	Sec.
698. "Hotel" and "lodging house" defined.	704. Evidence of overcrowding.
699. "Tenement house" defined.	705. Counting of occupants.
700. Licenses.	706. Kitchen not to be used as sleeping room.
701. Construction and repair.	707. Legal procedure.
702. Bathrooms and water closets.	708. Sanitary maintenance.
703. Size of rooms.	709. Entry and inspection.

Sec. 698. "Hotel" and "lodging house" defined.—Any hotel or any lodging house within the meaning of this title shall be held to include any house or building or portion thereof in which more than eight persons may be regularly harbored or received as transients, for hire. [86—87.]

Sec. 699. "Tenement house" defined.—A tenement house within the meaning of this title shall be held to include every house, building, or a portion thereof which is rented, leased, let, or hired out to be occupied as the house, home, or residence of five or more families living independently of one another and doing their cooking upon the premises, or by more than three families on a floor so living and cooking but having a common right in the halls, stairways, water-closets, or privies or some of them. [86—88.]

Sec. 700. Licenses.—It shall be unlawful for any person to conduct a tenement, lodging house, or hotel in the city of Manila, without first obtaining a license approved by the Director of Health, which shall specify the number of persons permitted to lodge or dwell in said tenement, lodging house, or hotel, and shall always be displayed in a conspicuous position on said premises; and no person shall have, lease, rent, or keep such tenement, lodging house, or hotel except in accordance with the terms and conditions of said license. [86—89.]

Sec. 701. Construction and repair.—No owner, agent, or lessee of any tenement or lodging house, or part thereof, to be constructed or repaired to an extent exceeding twenty-five per centum of its value, in the city of Manila, shall let, lease, rent, or hire the same, or any portion thereof, to be occupied by any person or allow the same to be occupied as a place for any one to dwell or lodge, unless such alterations, repair, or construction shall have been duly inspected and approved by the Director of Health. [86—90.]

Sec. 702. Bathrooms and waterclosets.—Every tenement, lodging house, or hotel shall have at least one bathroom and one water-closet or approved latrine for every fifteen persons that occupy such premises. [86—91.]

Sec. 703. Size of rooms.—All buildings erected or altered for use as hotels, lodging houses, or tenements shall have their rooms of such size that an air space of fourteen cubic meters shall be provided for each occupant. [78—155.]

Sec. 704. Evidence of overcrowding.—When any domestic building or any part thereof is ascertained to be in an overcrowded condition between the hours of eleven o'clock at night and five o'clock on the following morning, such overcrowding shall be deemed to be *prima facie* evidence that such building or part thereof was let or sublet in contravention of this title. [86—92.]

Sec. 705. Counting of occupants.—The householder or tenant, together with his family, if any, if residents in any such tenement, lodging house, or hotel, shall be counted in ascertaining whether such building or part thereof is in an overcrowded condition. [86—93.]

Sec. 706. Kitchen not to be used as sleeping room.—Any room of a tenement, lodging house, or hotel used as a common kitchen shall not be used as a sleeping room, and the householder or tenant thereof shall be responsible that such common kitchen is not so used. [86—94.]

Sec. 707. Legal procedure.—If any tenement, lodging house, or hotel, or portion thereof, shall be found to be in an overcrowded condition the chief of police shall, upon request of the Director of Health, require the tenant of the same, and also, if necessary, the householder, to abate such overcrowding within a period of one week; such notice shall specify the cubic capacity available for habitation in such tenement, lodging house, or hotel, and the number of persons who may be legally accommodated therein. If the said notice be not obeyed, the chief of police shall notify the prosecuting attorney for the city of Manila, who shall summon before the court the offending person. [86—95.]

Sec. 708. Sanitary maintenance.—The keeper of a tenement, lodging house, or hotel shall at all times keep his premises in a clean and wholesome condition, and the fittings of the sleeping rooms shall be maintained by him in a thorough state of repair. He shall cause every used room, passage, and stair to be thoroughly swept at least once a day, and to be thoroughly ventilated, and cause all filth and house refuse or other offensive matter to be removed from his premises daily. [86—96.]

Sec. 709. Entry and inspection.—The Director of Health or his duly authorized representative shall have authority, upon properly announcing the purpose of his visit, to enter, at any time, any tenement, lodging house, or hotel for the purpose of ascertaining whether the provisions of this chapter are being complied with. [86—97.]

CHAPTER 74.

BAKERIES, DAIRIES, AND PUBLIC LAUNDRIES.

Sec.	Sec.
710. Registration.	720. Handling.
711. Light, ventilation, and drainage.	721. Sleeping rooms in bakeries and dairies.
712. Water supply.	722. Milk venders to register.
713. Wash rooms and closets.	723. Receptacles for milk.
714. Sanitary maintenance.	724. Examination; condemnation of milch animals.
715. Health of employees.	725. Laundering, where prohibited.
716. Occupancy of premises.	726. Dampening clothes.
717. Inspection.	
718. Storage of products.	
719. Use of mouth in sprinkling bread.	

Sec. 710. Registration.—All premises used as bakeries, dairies, or public laundries shall be registered at the office of the Bureau of Health. [86—98.]

Sec. 711. Light, ventilation, and drainage.—Every bakery, dairy, or public laundry shall be adequately lighted and ventilated to the satisfaction of the Director of Health, and the ground surfaces shall be paved with good cement concrete laid down at least ten centimeters thick, and the surface thereof shall be rendered smooth and impervious with asphalt, Portland cement, or such other material as the city engineer may approve, and shall be provided with adequate drains with inlets outside of the building. [86—99.]

Sec. 712. Water supply.—Every bakery, dairy, or public laundry shall have an ample supply of good potable water, and, unless otherwise authorized by the Director of Health, this water shall be conducted to the bakery, dairy, or public laundry from the city water mains. [86—100.]

Sec. 713. Wash rooms and closets.—Every bakery, dairy, or public laundry shall be provided with a proper wash room and water closet or closets apart from the room or rooms where the business or the manufacture of products is conducted. All water-closets, dry-earth closets, or urinals shall be placed as far as practicable from any bakery, dairy, or public laundry. [86—101.]

Sec. 714. Sanitary maintenance.—Every bakery, dairy, or public laundry, and troughs, tables, receptacles, and other utensils kept therein shall be maintained at all times in a cleanly condition, and free from all noxious matter. The surface of the interior walls and ceilings of the rooms of every bakery, dairy, or public laundry shall be properly lime-washed or otherwise covered during the months of January and July of each year, and the woodwork frequently and thoroughly scrubbed. No domestic or pet animal or fowl shall be kept in a bakery, dairy, or public laundry. [86—102.]

Sec. 715. Health of employees.—No person shall work in any bakery, dairy, or public laundry who is affected with any contagious, infectious, or communicable disease, especially tuberculosis, syphilis, or leprosy, or who has recently been in contact with a person so afflicted, nor shall such person take any part or assist in the conduct of such trades as far as regards the production, distribution, or storage of products. [86—103.]

Sec. 716. Occupancy of premises.—No person other than one caretaker shall occupy, between the hours of eleven o'clock at night and five o'clock on the following morning, any room or premises used as a bakery, dairy, or public laundry, except such person be at the time actively engaged in carrying on the work conducted on the premises. [86—104.]

Sec. 717. Inspection.—Every bakery, dairy, or public laundry shall be open for inspection to any member or officer of the Bureau of Health at any time. [86—105.]

Sec. 718. Storage of products.—All bread, pastry, or other manufactured flour or meal food products shall be kept in dry and airy rooms, so arranged that the floor, shelves, and all other places for storing the same can be easily and perfectly cleansed, and shall be protected against all kinds of insects and vermin. [86—106.]

Sec. 719. Use of mouth in sprinkling bread.—It is prohibited to make use of the mouth in sprinkling bread before or after baking. [86—106.]

Sec. 720. Handling.—The products mentioned in section seven hundred and eighteen hereof shall not be handled except with suitable bakers' utensils. [86—107.]

Sec. 721. Sleeping rooms in bakeries and dairies.—No person shall use as sleeping quarters any bakery or dairy, or any room or rooms where their products are sold, manufactured, handled, or stored. [86—108.]

Sec. 722. Milk venders to register.—Every person selling milk or regularly delivering milk to houses within the city of Manila, and every store where this class of food is sold, not belonging to any dairy which is registered at the Bureau of Health as required by section eight hundred and seven hereof, shall be registered at the Bureau of Health. [86—109.]

Sec. 723. Receptacles for milk.—Every vessel or receptacle used as a container for milk shall be made of smooth and impervious material which is capable of being thoroughly sterilized by heat or other approved means, and such container shall be provided with a suitable cover for protection against dust or other impurities and shall be sterilized each time before use. [86—110.]

Sec. 724. Examination; condemnation of milch animals.—All milk

sold or offered for sale shall be at all times subject to examination and analysis by the Bureau of Health, and all milch animals shall be at all times subject to inspection by the Director of Health, who shall have the power to condemn and destroy the same if they are a menace to the public health. [86—111.]

Sec. 725. Laundering, where prohibited.—The washing of garments, articles of clothing, and fabrics in the waters of any estero or pond within the limits of the city of Manila is prohibited; this section shall be enforced only in those districts in which there shall have been established public laundries and bath houses. [86—112.]

Sec. 726. Dampening clothes.—It is expressly prohibited to use the mouth to dampen clothes before ironing. [86—112.]

CHAPTER 75.

BARBERING.

Sec.

727. Personal neatness.

728. Cleanliness of implements and
toilet accessories.

Sec.

729. Puffballs, alum, etc.

730. Hot water.

Sec. 727. Personal neatness.—Every barber when engaged in any operation of his trade shall wear a clean white shirt or coat, and shall keep his finger nails short and well trimmed, and he shall thoroughly wash and cleanse his hands before operating on any person. [86—114.]

Sec. 728. Cleanliness of implements and toilet accessories.—Every barber shall thoroughly clean and disinfect every razor, comb, or pair of scissors or clippers, or other tool, and thoroughly wash in hot water or in an approved disinfecting solution, and cleanse every shaving cup or brush immediately before using the same for operation on any person; shall furnish a clean towel for each customer, and shall apply powder to any person only by means of a fresh and clean towel. [86—115.]

Sec. 729. Puffballs, alum, etc.—No barber shall use a puffball for applying powder to any person, or for any other purpose, nor shall any barber apply any piece of alum, camphor, or other substance used for arresting bleeding to any person which has been previously applied for a like purpose to any other person. [86—116.]

Sec. 730. Hot water.—Every barber shop shall have ample provisions for boiling water and keeping the same hot. [86—117.]

CHAPTER 76.

THE MANUFACTURE AND SALE OF FOOD AND DRINK.

Sec.	Sec.
731. Perishable foods, protection and license for.	739. Irrigation of garden truck.
732. Water used in manufacture of aerated waters.	740. Sale, etc., of foul substances.
733. Inspection; samples for examination.	741. Unwholesome food.
734. Animals unlawful to kill.	742. Marking of meat.
735. Sale of animals dying of disease, unsafe fruit, etc.	743. False marks.
736. Meat to be protected.	744. Seizure and destruction.
737. Adulteration.	745. Sanitary maintenance.
738. Chief of department of sanitation and transportation to remove condemned foods, etc.	746. Milk; "adulterated milk" defined.
	747. Tuberculin test.
	748. Prepared milk.
	749. Certificates.
	750. Labels.
	751. Nursing bottles.

Sec. 731. Perishable foods, protection and license for.—It shall be the duty of all persons in the city of Manila who keep for sale meats, perishable fruits, cooked foods, cakes, candies, bakery products, or other easily contaminated articles of food, to keep such products protected by apparatus covered with wire screening approved by the Director of Health; and it shall be unlawful to sell or offer for sale, except in public markets, any meat or fish, or any manufactured or cooked food or drink, without first obtaining a license therefor from the Bureau of Health. [86—118.]

Sec. 732. Water used in manufacture of aerated waters.—In the manufacture of aerated waters all water used shall be rain or aqueduct water, either distilled or boiled, or water from a source approved by the Director of Health. [86—119.]

Sec. 733. Inspection; samples for examination.—All articles of food and drink sold or offered for sale, and all places for their preparation, manufacture, or sale, shall be at all times subject to inspection by the Director of Health or his duly authorized representatives. Samples of food or drink shall be furnished for examination upon the written request of the Director of Health. [86—120.]

Sec. 734. Animals unlawful to kill.—It shall be unlawful to kill for food any pig or calf less than five weeks old, or any lamb or kid less than eight weeks old, or to sell or offer for sale the meat from any cattle, sheep, goat, swine, or horse, except that from animals killed in the public slaughterhouse under regulations prescribed by the Director of Health. [86—121.]

[See also sec. 917 hereof.]

Sec. 735. Sale of animals dying of disease, unsafe fruit, etc.—It shall be unlawful to sell or offer for sale the meat of any animals

which have died of disease, or any meat, fish, sea food, fruit, or vegetables not wholesome or safe for human food. [86—122.]

Sec. 736. Meat to be protected.—It shall be unlawful to haul or carry through the streets any meat intended for sale unless it be so covered as to protect it from dust, dirt, flies and insects, or other vermin. [86—123.]

Sec. 737. Adulteration.—It shall be unlawful to manufacture for sale, sell, or offer for sale any article of food or drink which is adulterated; but nothing in this section and chapter shall be held to prohibit the manufacture, sale, or offering for sale any article in general use as food or drink which is really a mixture or compound, provided said mixture or compound shall contain nothing injurious to health. Any article shall be deemed to be adulterated within the meaning of this section (*a*) if any substance has been mixed with it so as to reduce, lower, or injuriously affect its quality or strength; (*b*) if any cheaper or inferior substance has been substituted, wholly or in part, for the article; (*c*) if any valuable constituent of the article has been wholly or in part abstracted; (*d*) if it be an imitation or sold under the name of another article; (*e*) if it consist wholly or in part of diseased, decomposed, putrid, or rotten animal or vegetable substance; (*f*) if damage or defect is concealed by artificial means whereby the article is made to appear of a higher quality or of a greater value than is actually the case; (*g*) if it contain any ingredient which may render it unsafe or injurious to health. [86—124.]

Sec. 738. Chief of department of sanitation and transportation to remove condemned foods, etc.—It shall be the duty of the chief of the department of sanitation and transportation to cause to be removed all impure and adulterated food or drink which has been condemned by the Director of Health or his duly authorized representative, and he shall dispose of it in such manner as the Director of Health may approve. [86—125.]

Sec. 739. Irrigation of garden truck.—The irrigation of garden truck, vegetables, and fruits eaten raw, with water from sewer or vaults or with excreta, urine, or other foul substances, is prohibited. [86—126.]

Sec. 740. Sale, etc., of foul substances.—No person shall offer for sale, sell, or give away any human excreta or other foul substance except to persons legally authorized to receive it. [86—127.]

Sec. 741. Unwholesome food.—No person shall sell or expose for sale, or bring into the city or into any market or other place where food is sold, any food intended for human consumption which is in a tainted, decayed, spoiled, diseased, or unwholesome state, or is unfit for use. [86—128.]

Sec. 742. Marking of meat.—All meat from slaughterhouses shall be officially marked before leaving such house, and such marks shall not be removed until the meat is sold. [86—129.]

Sec. 743. False marks.—No person shall falsely brand, mark, stencil, or label any article of food, or shall remove, alter, deface, mutilate, obliterate, imitate, or counterfeit any brand, mark, stencil, or label used in conformity with the last preceding section. [86—130.]

Sec. 744. Seizure and destruction.—Any article of food or drink sold or offered for sale which has been declared by the Director of Health or his duly authorized representative to be unfit for human consumption, or which does not conform to the provisions of this title, shall be subject to seizure and may be destroyed, and no compensation shall be allowed therefor. [86—131.]

Sec. 745. Sanitary maintenance.—All places and everything used therein or appurtenant thereto where food or drink is manufactured, stored, kept, sold, or offered for sale shall be kept and maintained in a clean and wholesome condition. In case any refrigerator or ice box is used on such premises, it shall be suitably lined so as to be water-tight, and provided with a pipe to carry off the drainage. The city engineer shall, when requested by the Director of Health, order any alteration necessary to put said places in a sanitary condition, and if the repairs ordered are not completed within the time specified the premises may be closed and the sale of the products prohibited. [86—132; 93—92.]

Sec. 746. Milk; "adulterated milk" defined.—It shall be unlawful to bring into the city or to sell or offer for sale any milk that is not fresh and wholesome, or that has been watered, adulterated, reduced, or changed in any respect by the addition of water or other substances, or by the removal of the cream: *Provided*, That milk from which any part of the cream has been removed may be offered for sale and sold if the fact is publicly advertised on the cart or in the place of business of the vender or made known to the purchaser at the time of sale. The term "adulterated milk" shall be held to include (a) milk containing less than twelve per centum of milk solids including fats; (b) milk containing more than eighty-eight per centum of water or fluids; (c) milk containing less than three per centum of fats; (d) milk drawn from animals within fifteen days before or five days after parturition; (e) milk drawn from animals fed on any substance in a state of fermentation or putrefaction or any unwholesome food like digman; (f) milk drawn from cows in a diseased or unhealthy condition, or from cows kept in a crowded or unsuitable place; (g) milk from which any part of the cream has been removed; (h) milk to which has been added water or any foreign substance whatever. [86—133.]

Sec. 747. Tuberculin test.—Any person or persons owning or having in their possession, or being in charge of milch or dairy animals, the milk of which is to be sold in the city of Manila, shall cause such animals to be subjected to the tuberculin test, to determine the presence or absence of tuberculosis prior to offering such

milk for sale or use in the city of Manila. The milk from animals reacting positively to such test shall not be sold: *Provided*, That nothing in this section shall be construed to interfere with the sale or use of tinned or other hermetically sealed milk if the same has been properly sterilized or pasteurized immediately before the container is hermetically sealed: *And provided further*, That such tuberculin test shall not be recognized unless the same has been made in a manner approved by the Director of Agriculture or the Director of Health. [86—134.]

Sec. 748. Prepared milk.—It shall be unlawful to manufacture for sale, sell, or offer for sale any prepared or manufactured milk in which the fats are less than twenty-five per centum of the milk solids contained therein, or to which any foreign substance except sugar has been added. [86—135.]

Sec. 749. Certificates.—Whenever required by the Director of Health, every person who sells any prepared or manufactured milk shall present a certificate from a reliable chemist showing the result of chemical analysis of said milk. [86—136.]

Sec. 750. Labels.—No person shall manufacture, sell, exchange, expose, or offer for sale or exchange any prepared or manufactured milk or cream unless the package, can, or vessel containing the same is distinctly labeled, stamped, or marked in such a manner as to show its true name, brand, and by whom and where made. [86—137.]

Sec. 751. Nursing bottles.—It shall be unlawful for any person to use or to engage in the sale of any bottle, mechanism, or other device for the artificial feeding or nursing of infants or children under three years of age which can not be properly cleansed or sterilized, or has connected therewith a rubber tube, hose, or similar contrivance. [86—138.]

CHAPTER 77.

WATER.

Sec.	Sec.
752. Drainage and leakage into wells, esteros, etc.	757. Supervision by Director of Health.
753. Well water.	758. Contamination or infection, procedure.
754. Wells, tanks, and cisterns, closing of.	759. Chapter applicable to Manila water service.
755. Sinking of wells.	
756. Public houses to use sterilized water.	

Sec. 752. Drainage and leakage into wells, esteros, etc.—No person, persons, company, or corporation shall cause, permit, or allow any sewage, drainage, factory refuse, or any foul or offensive

liquid or other material to flow, leak, escape, or be emptied, thrown, or discharged into the waters of any well, cistern, or other source of drinking water; or into any pond, river, stream, canal, estero, harbor, estuary, or bay within the city limits, except in such a manner and under such conditions as the Director of Health may approve. [86—147.]

Sec. 753. Well water.—It shall be unlawful to use well water for drinking purposes except from such wells or cisterns as are authorized by written permit from the Director of Health. [86—148.]

Sec. 754. Wells, tanks, and cisterns, closing of.—Any well, tank, or cistern shall be securely and completely closed by the owners of the property on which the same is situated, at such time and in such manner as the Director of Health may order; and no person shall take or use any water from any such well, tank, or cistern after the same has been closed. [86—149.]

Sec. 755. Sinking of wells.—It shall be unlawful to sink, dig, drive, or bore any well in the city of Manila without first obtaining permission therefor from the city engineer, who may grant the same upon the written approval of the Director of Health. [86—150.]

Sec. 756. Public houses to use sterilized water.—All water used by hotels, restaurants, saloons, lemonade stands, ice-cream parlors, or other public places for drinking or for mixing or preparing drinks or ices, or for kitchen purposes, shall be distilled, boiled, or otherwise sterilized or purified in a manner approved by the Director of Health. [86—151.]

Sec. 757. Supervision by Director of Health.—All public and private water supplies and sources shall be under the sanitary supervision of the Director of Health. [86—152.]

Sec. 758. Contamination or infection, procedure.—When it shall come to the knowledge of the Director of Health that any public or private water source or supply is contaminated by matter dangerous to health, or is infected with germs of disease, or is in imminent danger of becoming thus contaminated or infected, or is otherwise unfit for use, the city engineer, upon being so notified by the Director of Health, shall, if possible, remove the source of contamination or infection. If it is not possible to remove the source of such contamination or infection, the use of such water may be prohibited by the Director of Health. [86—153.]

Sec. 759. Chapter applicable to Manila water service.—This chapter shall apply to and be effective as provided for in Act Numbered Eleven hundred and fifty of the Philippine Commission,¹ over all territory within the drainage area of any water supply herein mentioned or within one hundred meters of any reservoir, conduit, canal, aqueduct, or pumping station used in connection with the Manila water service. [86—154.]

¹ See p. 79.

CHAPTER 78.

DANGEROUS COMMUNICABLE DISEASES.

GENERAL CONSIDERATION.

Sec.

760. Application.

761. Evidence and restrictions.

762. Notice to Bureau of Health; isolation.

763. "A case of dangerous communicable disease" defined.

764. Prophylactic inoculations.

765. Disinfection.

766. Tuberculosis, physicians to report.

767. Observance of sanitary regulations.

768. Expectoration.

769. Destruction of rats, mice, insects, and other vermin.

770. False statements.

771. Quarantine and segregation.

772. Isolation.

773. Vaccination.

774. Interference with health officers.

BUILDINGS AND PREMISES INFECTED WITH PLAGUE.

Sec.

775. Alteration, repair, etc.

776. Rat traps and rat poison.

PREVENTION AND SUPPRESSION OF CHOLERA AND OTHER DANGEROUS COMMUNICABLE DISEASES.

777. Regulation of food stuffs.

778. Transportation of sick.

779. Conveyances and water craft to be disinfected.

780. Captains and others to report.

781. Schools.

782. Duty of parents.

LEPROSY.

783. Detention of lepers.

GENERAL CONSIDERATION.

Sec. 760. Application.—The provisions of this chapter shall apply to every ship, vessel, steamer, boat, or other water craft within the jurisdiction of the city of Manila, and to every house, tent, van, shack, hovel, outhouse, barn, cabin, or other place in said city. [86—155.]

Sec. 761. Evidence and restrictions.—Any person shall be held to have a communicable disease who is so afflicted by such disease as to be capable of transmitting it to others. The presence of the ordinary clinical symptoms of a communicable disease shall be considered sufficient evidence that such case is or was such a disease; and the presence in such a case of the germ recognized as the cause of the disease shall be conclusive evidence that such case is or was such disease. No person suffering with a dangerous communicable disease shall be removed from one house to another, or from one place to another, without the special permission of the Director of Health. [86—156.]

Sec. 762. Notice to Bureau of Health; isolation.—Every physician or other person having knowledge of, or any householder, tenant, or occupant upon whose premises occurs any case of dangerous communicable disease, shall immediately notify the Bureau of Health by telephone or messenger, specifying the disease and the name and address of the person afflicted. Every physician having charge of a case of dangerous communicable disease shall

within twenty-four hours give written notice to said Bureau, and shall cause the same to be isolated pending action by the Director of Health. Public hospitals, dispensaries, asylums, convents, boarding schools, infirmaries, or prisons shall provide and maintain a suitable room or rooms or place for the isolation of persons suspected of having a dangerous communicable disease. [86—157.]

Sec. 763. "A case of dangerous communicable disease" defined.—The term "a case of dangerous communicable disease," for the purpose of this title, shall be held to include any person sick of or affected or attacked by any of the following-named diseases: Cholera, smallpox, chickenpox, plague, diphtheria (including membranous croup), filariasis, ship or typhus, typhoid or enteric, spotted, relapsing, yellow, or scarlet fever; measles, glanders, leprosy, actinomycosis, cerebro-spinal meningitis, and anthrax, and shall further include any other disease publicly declared by the Director of Health to be communicable and dangerous to the public health. [86—158.]

Sec. 764. Prophylactic inoculations.—For the purpose of preventing or suppressing dangerous communicable diseases, persons may be inoculated with prophylactic substances recognized by standard medical writers, and no person shall refuse to permit or receive such inoculation or to hinder or obstruct in any way such protective measures as may be deemed advisable by the Director of Health. [86—159.]

Sec. 765. Disinfection.—Disinfection shall be obligatory in all cases of dangerous communicable diseases whenever the Director of Health may consider it necessary, and no person shall impede or interfere with the disinfection as provided by the Director of Health. Disinfection shall be personally supervised by an inspector of the Bureau of Health. [86—160.]

Sec. 766. Tuberculosis, physicians to report.—It shall be the duty of every physician in the city of Manila to report to the Bureau of Health, in writing, every person afflicted with tuberculosis within one week of the time when a case of said disease comes to his knowledge. [86—161.]

Sec. 767. Observance of sanitary regulations.—It shall be the duty of every person sick with tuberculosis, and every person in attendance upon any one sick with this disease, and of the authorities of public and private institutions, to observe and enforce all sanitary rules and regulations of the Bureau of Health for preventing the spread of pulmonary tuberculosis and other dangerous communicable diseases. [86—162.]

Sec. 768. Expectoration.—In order to prevent the spread of pulmonary tuberculosis and other dangerous communicable diseases, all persons are forbidden to spit or expectorate or deposit or place any sputum, saliva, phlegm, or mucus upon the floor of any church, schoolhouse, public building, or other place of public assembly, or street car or other public conveyance, or any sidewalk of any of the streets or highways of the city of Manila. [86—163.]

Sec. 769. Destruction of rats, mice, insects, and other vermin.—It shall be the duty of all persons in the city of Manila to comply with the regulations which have heretofore been made, or which may hereafter be made by the Director of Health, for the purpose of destroying rats, mice, insects, or vermin capable of conveying or communicating any dangerous communicable disease, or for the purpose of prescribing the means and precautions to be employed on land or vessels in port at Manila to minimize the number of such animals or to prevent the spread of infection. [86—185.]

Sec. 770. False statements.—No person shall make any false or untruthful or misleading statement with regard to any dangerous communicable disease. [86—164.]

Sec. 771. Quarantine and segregation.—For the purpose of suppressing or preventing dangerous communicable diseases, any person, premises, or building may be quarantined, and the occupants of such premises or building may be segregated and such quarantine and segregation shall be for such period as the Director of Health may prescribe. [86—165.]

Sec. 772. Isolation.—Any person declared by the Director of Health to have a dangerous communicable disease may be isolated in such manner and in such place as the Director of Health may order: *Provided*, That such diseased persons who have the means and who so desire shall be allowed to remain in their own homes, or to be taken to other places of their selection: *Provided, however*, That in the opinion of the Director of Health, these homes or other places selected shall afford complete isolation. [86—166.]

Sec. 773. Vaccination.—It shall be the duty of every person in the city of Manila to be properly vaccinated as often as may be required by the Director of Health. Every person in said city who has been exposed to the infection or contagion of smallpox (including varioloid) shall at once be vaccinated, and if such vaccination is not successful, such person shall be revaccinated a sufficient number of times, at intervals of two weeks, to render it evident that successful vaccination is impracticable. [86—167.]

Sec. 774. Interference with health officers.—No person shall molest, hinder, or in any way prevent the Director of Health, or any of his representatives or employees, from performing any duty prescribed by the provisions of this chapter, or from carrying out any instructions issued in pursuance thereof. [86—168.]

BUILDINGS AND PREMISES INFECTED WITH PLAGUE.

Sec. 775. Alteration, repair, etc.—Whenever a case of plague or any source of plague infection has been found or is known to exist in any building or premises, such building or premises shall be subject to such alteration, repairs, vacating, or other action as in the judgment of the Director of Health may be necessary to prevent a recurrence of the disease or to prevent the spread of the infection. [86—169.]

Sec. 776. Rat traps and rat poison.—Whenever rat traps, ratsbane, or other rat poison is placed by any agent or employee of the Bureau of Health on any premises or in any building, such rat traps, ratsbane, or other rat poison shall not be disturbed or removed by any unauthorized person. [86—170.]

PREVENTION AND SUPPRESSION OF CHOLERA AND OTHER DANGEROUS COMMUNICABLE DISEASES.

Sec. 777. Regulation of food stuffs.—No vegetables, fruits, meats, fish, sea food, or other food stuffs shall be kept or sold or offered for sale in violation of any regulation or order of the Director of Health. Whenever any vegetables, fruits, meats, fish, sea food, or other food stuffs are declared by the Director of Health to be unsafe for human consumption, or a menace to the public health, such vegetables, fruits, meats, fish, sea food, or other food stuffs shall be removed and destroyed by the chief of the department of sanitation and transportation. Orders issued by the Bureau of Health in accordance with this section shall not be compulsory until twenty-four hours after their extensive publication. [86—171.]

Sec. 778. Transportation of sick.—It shall be unlawful to bring into the city of Manila, or transport from place to place within the city, any person sick or suspected to be sick with cholera, plague, smallpox, diphtheria, scarlet fever, or any other dangerous communicable disease, nor shall any person suffering from such disease enter any public conveyance or any vessel except under such regulations as the Director of Health may prescribe. [86—172.]

Sec. 779. Conveyances and water craft to be disinfected.—No public or private conveyance, or any vessel or other water craft, which has been used to carry any person suffering from plague, cholera, smallpox, or any other dangerous communicable disease shall be used again until it has been thoroughly disinfected and released by the Director of Health or his agent. [86—174.]

Sec. 780. Captains and others to report.—Whenever a suspicious or true case of plague, cholera, smallpox, or any affection resembling such diseases occurs on any ship, casco, lighter, launch, or other water craft, within the jurisdiction of the city of Manila, the captain, owner, or other person in charge thereof shall report the same by telephone or messenger to the nearest health station of the Bureau of Health. [86—175.]

Sec. 781. Schools.—No pupil affected with a dangerous communicable disease shall be permitted to attend any public or private school, and persons in charge of such schools shall report to the Director of Health, immediately, any case or suspected case which is found to be in attendance, and such pupil shall not be permitted to return to any school without written permission from the medical officer of the Bureau of Health: *Provided*, That the certificate of the attending physician shall be accepted if presented at a station of the Bureau of Health and there viséed. [86—176.]

Sec. 782. Duty of parents.—It shall be unlawful for parents, guardians, and all other persons having charge of children attending any public or private school to permit or allow them to attend such schools during the time in which plague, cholera, smallpox, diphtheria, scarlet fever, or other dangerous communicable disease shall prevail or exist in the residence or building where such children live or reside, until written permission has been obtained from a medical officer of the Bureau of Health. [86—177.]

LEPROSY.

Sec. 783. Detention of lepers.—Any patient suffering from leprosy found in the city of Manila shall be subject to the rules and regulations of the Bureau of Health with regard to lepers, and any member of the municipal police or other duly authorized official may arrest or cause to be arrested any person who is known as or reported to be a leper by a physician or other duly qualified person capable of passing judgment on leprosy, and deliver such person at the nearest station of the Bureau of Health. [86—178.]

CHAPTER 79.

WATERWAYS AND VESSELS THEREIN.

Sec.	Sec.
784. Obstruction of flow of water in esteros.	787. Noxious substances.
785. Sanitary maintenance of water craft.	788. Filth, garbage, etc.
786. Water-closets.	789. Water from rivers, esteros, or canals.

Sec. 784. Obstruction of flow of water in esteros.—No estero shall be used for the purpose of storing, keeping, or retaining, for a period greater than forty-eight hours, logs, timber, bamboo, or other objects which may obstruct the flow of water therein and thereby render the estero a menace to the public health. [86—179.]

Sec. 785. Sanitary maintenance of water craft.—The owners, agents, lessees, or occupants of vessels, launches, lighters, cascoes, barges, bancas, or any other form of water craft shall cause them to be maintained in a cleanly and sanitary condition at all times. [86—180.]

Sec. 786. Water-closets.—Owners, agents, or lessees of vessels, launches, lighters, cascoes, or barges shall cause to be constructed on such craft water-closets or other form of latrines, in accordance with plans and specifications approved by the Director of Health.

Any of the aforementioned vessels having water-closets or latrines may be required to reconstruct them in accordance with approved sanitary ideas if, in the opinion of the Director of Health or his accredited representative, such change is necessary. [86—181.]

Sec. 787. Noxious substances.—No casco, banca, barge, or other craft carrying any putrid or offensive material, night soil, or the contents of any water or earth closet, privy, vault, cesspool, or latrine, or having upon it any other noxious substance, shall occupy or remain in any waterway for a longer period than is necessary to load or unload such craft or to pass along such waterway, nor shall any such casco, barge, steamer, or other craft be loaded at any place not approved by the Director of Health. [86—76.]

Sec. 788. Filth, garbage, etc.—No filth, offal, garbage, rubbish, solid matter from manufactories, stable manure, sweepings, dead animals, or animal or decayed vegetable matter shall be discharged, thrown, placed, or allowed to fall or escape nor shall any person urinate or defecate into any river, estero, canal, or along the banks thereof. [86—182.]

Sec. 789. Water from rivers, esteros, or canals.—No person shall be allowed to use the water from any river, estero, or canal for cooking or drinking purposes or for washing or cleansing articles of food or cooking utensils unless the same has been boiled or otherwise made sterile. [86—184.]

CHAPTER 80.

THE FILLING IN OF LOWLANDS.

Sec.

790. Water flow to be unobstructed.

791. Offensive substances not to be used.

Sec.

792. Buildings on insanitary sites.

793. City engineer may abate nuisances.

Sec. 790. Water flow to be unobstructed.—No person shall obstruct the free flow of water so as to interfere with proper drainage. [86—221.]

Sec. 791. Offensive substances not to be used.—No animal or vegetable substance or any street sweepings, muck, or dirt gathered in cleaning yards, buildings, esteros, docks, or slips, or waste of mills or factories, or any materials which are offensive or tend by decay to become putrid or to render the atmosphere impure or unwholesome, shall be deposited or used to fill up or raise the surface or level of any lot, grounds, dock, wharf, or pier in or adjacent to the built-up portions of the city, or any ground filled for the purpose of building thereon, unless pursuant to a special permit from the city engineer and approved by the Director of Health. [86—222.]

Sec. 792. Buildings on insanitary sites.—No building or structure shall be used as a residence or place for human habitation or abode which is situated upon land which has been made by filling in with dangerous and insanitary refuse, garbage, or other substance which may have an unfavorable effect upon the public health, unless such site is approved by the Director of Health. [86—223.]

Sec. 793. City engineer may abate nuisances.—Where any premises within the limits of the city are composed of lowlands, or are so excavated or walled, diked, or dammed as to admit or cause the formation on the surface thereof of stagnant or foul waters which are a nuisance and a menace to the public health, the city engineer may call upon and require, subject to the limitations of subsection (s)¹ of section three of Act Numbered Eleven hundred and fifty of the Philippine Commission, the owner of any premises whereon such pools may exist to fill up the same with good clean earth or other approved material to the level of the surrounding ground, or to drain such pools by means of surface drains into any channel with which such surface drains may lawfully communicate, or to cut or breach any retaining walls, dike, or dam so that such retained water may have free escape: *Provided*, That whenever the Director of Health shall declare that any lowland, marsh, or stagnant pool or pond in the city of Manila is in an insanitary condition and constitutes a serious menace to the public health, the city engineer shall take steps to cause the said lowlands, marshes, stagnant pools, or ponds to be cleaned, drained, or filled in and the insanitary conditions removed. [86—224.]

CHAPTER 81.

HUMANE CARE OF UNFORTUNATES.

Sec.

794. Involuntary personal service.

Sec.

795. Indignities, cruel treatment, and abuse.

Sec. 794. Involuntary personal service.—No person confined, detained, or otherwise kept in any public or private institution in the city of Manila because of sickness, deformity, imbecility, poverty, insanity, or other affliction shall be required to render involuntary personal service for any officer, superintendent, director, manager, or other person connected with such institution. [86—186.]

Sec. 795. Indignities, cruel treatment, and abuse.—No officer, superintendent, director, manager, or other person employed in any asylum, hospital, or other place where persons are confined, detained, or otherwise held because of sickness, deformity, imbecility, poverty, insanity, or other affliction shall subject such inmates to personal indignities, cruel treatment, discrimination on account of color, nationality, or religion, corporal punishment, or other abuse: *Provided*, That nothing in this section shall be construed so as to prevent the maintenance of proper discipline by the usual approved humane methods. [86—187.]

¹ See p. 80.

CHAPTER 82.

MARRIAGES AND BIRTHS.

Sec.

796. Marriages, reports of.

797. Births, reports of.

Sec.

798. Vital statistics.

Sec. 796. Marriages, reports of.—It shall be the duty of all justices of the peace, and all other persons authorized to solemnize marriages in the city of Manila, to make monthly reports to the Bureau of Health, on forms to be furnished by the Director of Health. [86—188.]

Sec. 797. Births, reports of.—Every physician, midwife, or other person who shall attend, assist, or advise at the birth of any child within the city of Manila shall report such birth on a form furnished by the Bureau of Health of said city within thirty days from the date of birth of such child. [86—189.]

Sec. 798. Vital statistics.—For the purpose of securing statistical information, birth records, or any other records relating to vital statistics, kept by any institution in the city of Manila, shall be accessible to any duly authorized officer or representative of the Bureau of Health: *Provided*, That the person in charge of church records shall only be required to furnish such information therefrom, upon written application, as may be necessary for the purpose of compiling vital statistics. [86—190.]

CHAPTER 83.

OFFENSIVE AND UNWHOLESOME TRADES,
BUSINESSES, AND OCCUPATIONS.

Sec.

799. Definitions.

800. Businesses prohibited.

801. Duties of owners and managers.

802. Repairs, approval of Director of Health.

Sec.

803. Closure and removal.

804. Night regulations.

805. Light, ventilation, drainage, and paving.

806. Storing of materials.

Sec. 799. Definitions.—(a) Within the meaning of this title the words “offensive trade or business or occupation” shall be held to include soap boiling; tallow melting; killing, cleaning, or disemboweling of animals; cleaning guts; boiling offal, bones, fat or lard, except in the public slaughterhouses under special regulations pertaining thereto; manufacturing glue or fertilizer; (b) within the meaning of this title the words “unwholesome trade,

business, or occupation" shall be held to include lye making or any manufacturing process or handicraft in which lead, arsenic, mercury, phosphorous, or other poisonous substance is used; or any other noxious or offensive trade, business or manufacture whatsoever: *Provided*, That nothing in these definitions shall be construed as interfering with the practice of pharmacy or other business regulated by special Acts of the Philippine Commission. [86—139.]

Sec. 800. Businesses prohibited.—It shall be unlawful to engage in or conduct any business enumerated in this section: Killing, skinning, or disemboweling animals, cleaning guts, except in the public slaughterhouse, under the regulations prescribed by chapter ninety-seven hereof; yarding cattle or swine, except in authorized stock yards; or any other noxious or offensive trade whatsoever. [93—129.]

Sec. 801. Duties of owners and managers.—The owner, manager, or person in charge of any premises wherein any offensive or unwholesome business, trade, or occupation is conducted shall cause the removal of all ashes, rubbish, offal, dirt, or other offensive and unwholesome substances; shall take such measures to prevent the escape of smoke, dust, cinders, gas, or offensive or dangerous odors; and shall adopt such methods of rendering innocuous all vapors emitted during the process of boiling, melting, or of extracting fat and other substances as the Director of Health may order; shall keep such premises in a clean and wholesome condition and conduct the business in such a manner as not to be dangerous or needlessly offensive to the public or to the owners or occupants of adjacent property; and shall cause the interior surface of all walls, floors, or pavements to be kept in good order and repair, so as to prevent the absorption therein of any liquid, filth, or refuse, or any noxious or injurious matter which may be splashed or may fall or be deposited thereon. During the months of January, April, and October of each year he shall cause the interiors of such places to be thoroughly cleansed and carefully washed with hot lime wash or other covering approved by the Director of Health. He shall, at the close of every work day, cause all fat, tallow, grease, refuse, or filth which has been spilled or splashed or has fallen or been deposited upon any floor, pavement, or wall, upon the premises where his trade is carried on, to be collected therefrom by scraping or some other effectual means of cleansing, and, unless it is to be subjected to further trade processes, it shall be removed from the premises as soon as practicable. All apparatus must be kept in a cleanly condition. [86—140.]

Sec. 802. Repairs, approval by Director of Health.—No repairs to buildings or premises, or improvements or additions to machinery or plant, of any establishment wherein any offensive or unwholesome business, trade, or occupation is conducted, shall be undertaken without the approval of the Director of Health. [93—132.]

Sec. 803. Closure and removal.—Whenever the Director of Health shall declare that any offensive or unwholesome establishment or business or occupation is dangerous to the public health, such establishment shall be closed until the source of danger is removed; and, if said source of danger can not be removed, such establishment shall be transferred to a more suitable location. [86—141.]

Sec. 804. Night regulations.—No person, other than a caretaker, shall be allowed to pass the night in any of the rooms used as workrooms for any offensive or unwholesome trade or business unless actually engaged in carrying on work connected with said trade or business. [86—142.]

Sec. 805. Light, ventilation, drainage, and paving.—Every building or premises used for an offensive or unwholesome trade, business, or occupation shall be adequately lighted and ventilated to the satisfaction of the Director of Health; and the ground surfaces occupied or used in carrying on such trade or business shall be properly drained and paved with good cement concrete laid on at least ten centimeters thick, and the surface thereof shall be rendered smooth and impervious with asphalt, Portland cement, or such other material as the Director of Health may approve. [86—143.]

Sec. 806. Storing of materials.—All materials used in any offensive or dangerous trade and which are not immediately required for boiling, melting, or extracting shall be stored in such manner and in such places as to prevent the emission of noxious or injurious effluvia therefrom. [86—144.]

CHAPTER 84.

SANITARY REGULATION OF LICENSES.

Sec.

807. Licenses necessary for certain places, etc.

Sec.

808. Revocation.

Sec. 807. Licenses necessary for certain places, etc.—It shall be unlawful to conduct any hotel, boarding house, tenement house, lodging house, tienda, store, vessel or other water craft where cooked food or easily contaminated food, meat, or fish are offered for sale; saloon, barber shop, hairdressing parlor, massage parlor, dermatological office, or similar place; bath house, bakery, laundry, dairy, livery stable, undertaking or embalming establishment; place where offensive or dangerous trade, occupation, or business is to be conducted; place of amusement or entertainment; dyeing and clean-

ing and all similar establishments; or to engage in street peddling or the practice of chiropody, unless a license therefor has been obtained and the same approved by the Director of Health. [86—145.]

Sec. 808. Revocation.—Failure to maintain the places or to practice the occupations mentioned in the last preceding section in a manner satisfactory to the Director of Health shall be sufficient cause for revocation of the license. [86—146.]

CHAPTER 85.

NUISANCES.

Sec.

809. List of nuisances.

810. Owners' and occupants' duties.

811. Notices to persons causing.

Sec.

812. Noncompliance with notice; complaints filed.

Sec. 809. List of nuisances.—The following shall be deemed to be nuisances:

(a) **Lack of drainage and ventilation:** Any failure to supply or any inadequate or defective provision for drains, drain traps, ventilating pipes, subsoil drainage, or cesspool accommodations or other approved provisions for the disposal of excreta.

(b) **Dark, ill ventilated, damp, or dilapidated buildings:** Any building or part of a building which is so dark or so ill ventilated, or so damp, or in such a condition of dilapidation as to be dangerous or prejudicial to the health of the inmates.

(c) **Buildings infested with rats:** Any building or part of a building which is infested with rats in such manner as to endanger the public health.

(d) **Insanitary conditions:** Any premises which are in a dirty or insanitary condition.

(e) **Foul and unhealthful places:** Any street or road, or any part thereof, or any water course, ditch, gutter, side channel, drain, dump, ash pit, sewer, privy, latrine, urinal, or cesspool so foul as to be offensive or unhealthful.

(f) **Impure water:** Any water course, well, tank, pool, canal, conduit, or cistern the water of which from any cause is so tainted with impurities as to be injurious to the health of persons living near, or using such water, or which is likely to cause or promote disease.

(g) **Stables and other places for animals; swine:** Any stable, cow shed, or other place for use of animals or wherein live fish or birds are kept, if in a condition resulting prejudicially to the health of persons or of the said animals. In no case shall the keeping of

more than two swine in any premises in the city of Manila be permitted.

[For further provisions penalizing the maintenance of foul livery stables see sec. 529 hereof.]

(h) **Stagnant water, manure, and refuse:** Any accumulation or deposit of stagnant water, sullage water, manure, house refuse, or other matter, wherever situated, which is unhealthful or obnoxious.

(i) **Noxious matters:** Any noxious matter flowing or discharging from any premises, wherever situated, into any public street, road, or into the gutter or side channel of any street or road.

(j) **Noxious and objectionable businesses and trades:** Any manufacture, trade, or business of a noxious, noisome, or unhealthful nature, unless previously approved by the Director of Health.

(k) **Unhealthful cemeteries:** Any cemetery or place of burial so situated or so conducted as to be unhealthful.

(l) **Smoke:** Any chimney or any furnace sending forth smoke or gases in such quantity or manner as to be dangerous to the public health.

(m) **Keeping animals:** Any house or dwelling rendered insalubrious or offensive by keeping in it chickens or other animals.

(n) **Depositing offensive substances in streets and harbor:** Depositing in any street, alley, public place, or in the harbor of Manila, of any manure, hay, straw, filth, offal, or any offensive substance detrimental to the public health.

(o) **Receptacles, mosquitoes and other insects breeding in:** Any tank, cistern, well, vault, tub, pail, jar, can, or other receptacle or container for liquids, kept in such a condition as to convert it into a nuisance because of mosquitoes or other insects breeding therein.

(p) **Dead animals:** Any premises wherein dead animals, other than those lawfully slaughtered for food, are deposited, buried, or permitted to remain longer than is reasonably required to effect their removal: *Provided*, That the owner or occupants of the premises shall not be held responsible for failure to remove dead animals weighing more than thirty pounds, if it shall appear that prompt notice of the death of such animals, or their presence on said premises, shall have been furnished the most accessible police officer or station: *And provided further*, That the provisions of this section shall not be construed to prevent the depositing of dead animals at the city crematories for cremation, nor at any factory licensed under the provisions of chapter forty-nine hereof to make use of dead animals or parts thereof in manufacturing.

(q) **Other acts:** Any act, omission, or thing which is or may be dangerous to life or injurious to health. [86—217.]

Sec. 810. Owners' and occupants' duties.—No owner or occupant or other person in charge of any lot, tenement house, premises, building, or other place whatsoever, shall allow or permit any nuisance to exist in such lot, tenement house, premises, building,

or other place. Likewise, when the owner or occupant of a place has therein any receptacle or container which by the breeding therein of mosquitos or other insects becomes a nuisance and he is required to abate the same, he shall empty said receptacle or container, or else provide the same with a mosquito-proof cover or abate the nuisance by other means satisfactory to the Director of Health. [86—218.]

Sec. 811. Notices to persons causing.—The city engineer, upon being informed by the Director of Health that a nuisance involving structural features exists, shall cause a notice to be served on the person by whose act, default, or sufferance the nuisance arises or continues, or, if such person can not be found, on the owner or occupant of the premises on which the nuisance arises, requiring him, after the receipt of the notice, to abate the nuisance within a reasonable time, to be specified in the notice, and to execute such work and do such things as may be necessary for that purpose: *Provided*, First, that where the nuisance arises from the want of or defective construction of any structural convenience, or where there is no occupant of the premises, notice under this section shall be served on the owner or agent; second, that where the person causing the nuisance can not be found and it is clear that the nuisance does not arise or continue by the act, default, or sufferance of the owner or occupant of the premises, the city engineer or his agent may abate the same. [86—219.]

Sec. 812. Noncompliance with notice; complaints filed.—If the person on whom a sanitary order has been served has not obtained from the city engineer or his representative a modification or withdrawal of the notice, and continues to make default in complying with the requirements of such notice, or, in the case of a nuisance, if the same, although abated since the service of the notice, is in the opinion of the Director of Health likely to recur on the same premises the Director of Health or his agent shall cause a complaint relating to the noncompliance with the said notice, or to such nuisance, to be brought to the attention of the prosecuting attorney. [86—220.]

CHAPTER 86.

VIOLATIONS.

Sec.
813. Complaints.

Sec.
814. Penalty.

Sec. 813. Complaints.—Any person in the city of Manila who shall violate any section or part thereof of this title or of title fourteen or chapter seventeen hereof or any regulation made in accordance therewith may be proceeded against as prescribed by the

provisions of section five¹ of Act Numbered Eleven hundred and fifty of the Philippine Commission. [86—255.]

Sec. 814. Penalty.—Any person or persons, firm, company, or corporation who shall violate any provision of any section, or part thereof, of this title or of title fourteen or chapter seventeen hereof, or any sanitary regulation of the Bureau of Health made in pursuance of law, shall, upon conviction, be punished by a fine of not more than two hundred pesos or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court, for each offense. [86—256.]

¹ See p. 81.

TITLE 12.

STREETS AND THE USE THEREOF.

Chap.

- 87. General provisions.
- 88. Occupancy for building.
- 89. Removal of explosives, buildings, garbage, etc.

Chap.

- 90. Use by vehicles.
- 91. Use by street railways.
- 92. Various uses.
- 93. Certain public places.

CHAPTER 87.

GENERAL PROVISIONS.

Sec.

- 815. Streets free for use of public.
- 816. Unauthorized uses, liability for damage.
- 817. Noncompliance with permit, liability for damage.
- 818. Unauthorized obstructions removed.
- 819. Authorized obstructions, removal, when and how.

Sec.

- 820. Temporary obstructions, directions for removal by police, etc.
- 821. Duty of police.
- 822. Fences or railings around obstructions; travel of pedestrians.
- 823. Compliance with provisions.

Sec. 815. Streets free for use of public.—The streets and public ways of the city shall be kept free and clear for the use of the public, and the sidewalks and crossings for the use of pedestrians, and the same shall only be used or occupied for other purposes as provided by ordinance or regulation. [11 P. M. G.—1.]

[See note to sec. 850 hereof.]

Sec. 816. Unauthorized uses, liability for damage.—Any person using the streets for unauthorized purposes shall be liable for all damage that may be sustained by reason of such use. [11 P. M. G.—35.]

Sec. 817. Noncompliance with permit, liability for damage.—Any person using the streets for purposes requiring the authority of a permit shall be liable for all damage that may be sustained by reason of neglect or refusing to comply strictly with the provisions

of such permit, and shall take necessary care and precautions for the safety of the public. [11 P. M. G.—36.]

Sec. 818. Unauthorized obstructions removed.—Whenever the owner or person responsible for any unauthorized obstruction shall, after official notice from the proper department, refuse or neglect to remove the same within a reasonable time, such obstruction shall be deemed a public nuisance, and the city engineer is authorized to remove the same at the owner's expense. [11 P. M. G.—37.]

Sec. 819. Authorized obstructions, removal, when and how.—Any person authorized to obstruct the public street or way shall remove such obstruction within the time and in accordance with the provisions of the permit authorizing such obstruction, leaving the public way in a suitable condition for travel. [11 P. M. G.—38.]

Sec. 820. Temporary obstructions, directions for removal by police, etc.—Whenever any street or public way of the city is temporarily obstructed from any cause, the police or any officer of the department of engineering and public works may issue such directions in regard to the removal of such obstruction as may be required for public convenience and safety. [11 P. M. G.—39.]

[See notes to the next succeeding section and sec. 850 hereof.]

Sec. 821. Duty of police.¹—It shall be the duty of the police to see that any use of the public streets requiring a permit is properly authorized, and report, and, if necessary, arrest, all persons refusing or neglecting to comply with ordinances and regulations concerning the use of streets or the rights of the public therein. [11 P. M. G.—40.]

Sec. 822. Fences or railings around obstructions; travel of pedestrians.—Any department having charge of a public work requiring the obstruction of any street or public way, or any person placing an obstruction in the street under authority of a permit, shall erect and maintain a suitable fence or railing around such obstruction and place, and maintain lights at such places and in such manner as to prevent danger to the public. Such obstructions shall not interfere with the necessary travel of pedestrians, and the department or person in charge of the work shall make suitable provisions for their accommodation. [11 P. M. G.—41.]

Sec. 823. Compliance with provisions.—It shall be the duty of the police and the department having charge of the particular class of improvements to see that the provisions of this title are in all cases strictly complied with. [11 P. M. G.—47.]

¹ **Arrest without warrant.**—A policeman who, without a warrant, arrests for a misdemeanor a person who has not committed any misdemeanor commits the crime of *coacción* (coercion): U. S. v. Alexander, 8 Phil., 29, following U. S. v. Ventosa, 6 Phil., 385. See also note to sec. 850 hereof.

CHAPTER 88.

OCCUPANCY FOR BUILDING.

Sec.

824. Encroachments, conditions of.

825. Dressing of materials.

826. Storage of materials.

827. Mortar beds.

Sec.

828. Danger lights.

829. Covered ways.

830. Damage to pavements, sidewalks, or curbs.

Sec. 824. Encroachments, conditions of.—No street, alley, park, or public way shall be permanently encroached upon, except as otherwise expressly provided by ordinance. Permit for the temporary occupancy of such public property is included in the permit for the building, subject to the following conditions:

During the erection of the external walls of any building on the street line the owner or his agent shall cause that part of such building to be inclosed by a fence not less than one and one-half meters in height and not more than two meters from the building line. If such inclosing fence shall prevent the passage of pedestrians on the sidewalk, the owner or his agent shall cause to be laid and maintained in good condition and repair, and free from rubbish, dirt, or materials, a temporary plank sidewalk of a width not less than one-third of the sidewalk, and in no case less than one meter in width. If the building in process of erection be more than three stories in height and be set at or near the street line there shall be built over the temporary sidewalk a roof having a framework covered by not less than two layers of planking five centimeters in thickness and not less than two and twenty-five one-hundredths meters in clear height. [78—159.]

Sec. 825. Dressing of materials.—The dressing of stone, lumber, and so forth, upon public property is forbidden. [78—160.]

Sec. 826. Storage of materials.—The occupation of streets or sidewalks for the storage of materials intended for use in the operations for which the permit was issued shall not be permitted except as hereinafter in this chapter mentioned, and after payment of the fees mentioned in section one hundred and eight hereof. The maximum width of occupied area shall not exceed one-third of the width of the street between the established street lines, nor shall the length occupied be more than the frontage of the property. On streets containing railway tracks no materials shall be stacked or piled closer than three meters to the nearest track, nor shall such materials occupy more than one-half of the street shoulder. The storage of materials shall not be permitted in the roadway of—

(a) Streets ten meters in width;

(b) Streets (occupied by a single line of track) twelve meters or less in width;

(c) Streets (occupied by a double line of tracks) less than twenty meters in width.

Whenever in the judgment of the city engineer the public necessity may so require, he may restrict the permit to occupancy of the sidewalk or of the roadway within the limits before specified, and his decision shall be final.

Teams, wagons, barrows, and other appliances delivering or removing material, or about to deliver or remove same, to buildings under construction, alteration, or repair shall not obstruct the railway tracks or the free passage of cars or other traffic.

Nothing in this section shall be construed to violate the provisions of sections two hundred and sixty-one and six hundred and sixty hereof, with reference to the post fire-hydrant system. [78—161.]

Sec. 827. Mortar beds.—Lime, cement, or other mortar and concrete may be prepared upon any public roadway within the space allowed for occupancy, but such mortar and cement shall be prepared upon a light bed of tongued and grooved boards placed upon bearers or sleepers which shall leave an air space below of at least five centimeters. [78—162.]

Sec. 828. Danger lights.—Red-glass globe lanterns shall be displayed and maintained from sunset to sunrise wherever fences are built, excavations are opened, or building materials piled within the street area. The number of these lanterns shall be determined by the chief of police. [78—163.]

Sec. 829. Covered ways.—Temporary covered ways across sidewalks or public ways may be permitted for periods not to exceed forty-eight hours. Such covered ways shall afford a free passage of at least one meter in width along the middle of the sidewalk. Permits for such covered ways will not be required, but such obstructions shall be under the control and regulation of the chief of police. [78—164.]

Sec. 830. Damage to pavements, sidewalks, or curbs.—Whenever the street pavement, sidewalk, or curb is damaged during the construction of a building or its repair, the necessary repairs to the same shall be done by the city of Manila at the expense of the owner. [78—68.]

CHAPTER 89.

REMOVAL OF EXPLOSIVES, BUILDINGS, GARBAGE, ETC.

Sec.

831. Corpses, dead animals, garbage,
etc.

832. Explosives.

Sec.

833. Vehicles hauling explosives.

834. Moving buildings.

835. Noxious substances.

Sec. 831. Corpses, dead animals, garbage, etc.—It shall be unlawful to carry a corpse or any dead animal, swine, garbage, rub-

bish, offal, or offensive material of any description, or any explosives or inflammable material through the public streets, except in vehicles licensed for such purposes; or to convey earth, mortar, sand, garbage, rubbish, offal, or other material in such manner that any part thereof shall be scattered in any street or public way. [11 P. M. G.—11.]

Sec. 832. Explosives.—No person, whether licensed or not licensed under the provisions of chapter thirty-nine hereof, shall carry or convey, or direct, assist, or abet in the carrying or conveyance of the explosives in said chapter enumerated, in excess of the limited quantity specified in section four hundred and ninety-three hereof, through any street, alley, road, or public way in any cart, carriage, wagon, dray, wheelbarrow, or otherwise, without first having obtained a written permit so to do from the chief of the fire department, and said chief of the fire department shall direct the manner in which said explosives shall be conveyed or transported in said vehicles. [93—81.]

Sec. 833. Vehicles hauling explosives.—No wagon, dray, cart, or other vehicle, loaded in whole or in part with any of the articles enumerated in chapter thirty-nine hereof and for which a permit has been granted, as provided in the last preceding section, shall be permitted to stand or remain on any street, alley, or place more than one-half hour at a time; and all vehicles employed in hauling or transporting any of the articles as aforesaid shall have conspicuously displayed upon them, at each end of said vehicle, a red flag. [93—82.]

Sec. 834. Moving buildings.—No person shall move or cause to be moved any building through any street or public way without the written permission of the city engineer, and no person moving a building shall permit the same to stand on any street or public way for a greater period than three days. [78—75.]

Sec. 835. Noxious substances.—No cart or other vehicle used for carrying putrid or offensive materials, night soil, or the contents of any water or earth closet, privy, vault, cesspool, or latrine, or having in them any other noxious substance shall occupy an unreasonable time in loading or unloading or in passing along any street or through any inhabited place or area, nor shall any unnecessary number of such carts or vehicles gather before any residence, building, or place of business. [86—75.]

CHAPTER 90.

USE BY VEHICLES.

Sec.

836. Orders of police.

837. Alignment and free passage.

838. Use of sidewalks; standing
crosswise of streets.

Sec.

839. Congestion.

840. Vehicles unattached.

841. Rule of road.

842. Right of way.

Sec. 836. Orders of police.—All drivers of horses or vehicles occupying the public streets shall be subject to the orders and supervision of the police, and it shall be unlawful for the driver or person in charge of any vehicle, to refuse or neglect to obey the order of any member of the police force. [11 P. M. G.—2.]

Sec. 837. Alignment and free passage.—Vehicles standing on the streets or public places of the city shall align themselves against the curbing and keep closed up. They shall not be halted or remain standing in or near the middle of a public street or within five meters of the intersection of public streets or crossings, or upon the public way opposite any standing vehicle or obstruction, in such manner as to obstruct the free passage of vehicles or pedestrians. [13—1.]

Sec. 838. Use of sidewalks; standing crosswise of streets.—It shall be unlawful for any vehicle or any horse or other animal to stand or be driven upon a public sidewalk or crossing, except so far as may be necessary in crossing the same; or for any vehicle to remain standing crosswise of a public street for a longer period than may be actually necessary to load or unload such vehicle. [11 P. M. G.—4.]

Sec. 839. Congestion.—In case of blocking or congesting the public way by standing or other vehicles, the police may direct a sufficient number of such vehicles to proceed to another and less crowded locality, selecting, if possible, the vehicles last to arrive. [11 P. M. G.—6.]

Sec. 840. Vehicles unattached.—It shall be unlawful for any vehicle to which a horse or other animal is not attached to remain standing in a public street for more than one hour. [11 P. M. G.—7.]

Sec. 841. Rule of road.—Every vehicle occupying the street shall keep to the left of the center of the traveled way; and no vehicle shall remain standing on the right-hand side of the street for a longer period than is necessary to receive or discharge passengers. [11 P. M. G.—8.]

Sec. 842. Right of way.—Vehicles carrying passengers shall have the right of way over those carrying freight or vehicles not laden, and vehicles in motion shall have the right of way over those halted. Ambulances and fire apparatus, when actually employed and on

duty, or going to or returning from such duty, shall have the right of way over every person or thing occupying the public street. [11 P. M. G.—9.]

CHAPTER 91.

USE BY STREET RAILWAYS.

Sec.

843. Interference with use; grading and paving.

844. Right of way over tracks.

Sec.

845. Obstruction of free passage.

846. Cars standing on streets.

Sec. 843. Interference with use; grading and paving.—Street railways shall so lay down and maintain their tracks as to interfere as little as practicable with the use of the streets. They shall fill and grade the space between the tracks, and for a distance of fifty centimeters on either side of the same, to the grade of the street, and shall at all times keep the same in such condition as to allow the free use and easy passage of vehicles. They shall also pave the space above described in streets where pavement is laid down or where such paving is required. All such work shall be done under the superintendence of the department of engineering and public works. [11 P. M. G.—45.]

Sec. 844. Right of way over tracks.—The cars of all street railways shall at all times, except as hereinafter in this section provided, be entitled to the track, and the driver of every vehicle upon the track or by the side thereof shall turn such vehicle out when any car approaches, so as to leave the track unobstructed for the passage of such street car: *Provided*, That the United States mail service and all apparatus and conveyance of the fire department and police department, going to and at fires, and ambulances answering fast calls, shall have the right of way over all street-car tracks. All such vehicles shall be provided with gongs. [81—21.]

Sec. 845. Obstruction of free passage.—No car shall be allowed to stop on a crosswalk, or in front of any intersecting street, so as to obstruct or hinder the free passage of vehicles or persons on foot, except to avoid collision or to prevent danger to persons in the streets. [81—16.]

Sec. 846. Cars standing on streets.—No car shall be allowed to remain standing on any street at any time, unless the same is waiting for passengers or is unavoidably detained. The preceding sentence shall not be so construed as to prevent any car from stopping upon any switch, even though said switch may be at the intersection of streets, or at any terminal, when said stoppage is necessary for the maintenance of the official schedule. [81—17.]

CHAPTER 92.

VARIOUS USES.

Sec.

847. Pipes and conduits.

848. Undermining.

849. Private purposes.

850. Erecting obstructions.

851. Depositing dirt, garbage, etc.

852. Grading and paving.

853. Selling vehicles, merchandise,
etc.

Sec.

854. Parades by circuses.

855. Banners and musical instruments for advertising.

856. Begging, cooking, washing, etc.

857. Coolies.

858. Barbering.

Sec. 847. Pipes and conduits.—It shall be unlawful for any person to lay pipes or conduits of any kind, or to dig or remove any earth or stone from a street, sidewalk, or public place, without first obtaining a permit therefor from the city engineer. [11 P. M. G.—24.]

Sec. 848. Undermining.—It shall be unlawful for any person to dig under a street, sidewalk, or public place for any purpose, or cause the same to be undermined by digging or removing earth or stone from the abutting premises, without first obtaining a permit therefor from the city engineer. [11 P. M. G.—25.]

Sec. 849. Private purposes.—It shall be unlawful to use any portion of any street, sidewalk, wharf, landing, or other public place for the purpose of storing material for the erection or repair of any building, or to store thereon material of any kind, or to use the same for any private purpose without first obtaining a permit therefor from the city engineer. [11 P. M. G.—26.]

[See note to the next succeeding section.]

Sec. 850. Erecting obstructions.¹—It shall be unlawful to place or erect any post, fence, stand, building, or other obstruction, in whole or in part, upon a street, sidewalk, or public way, or to obstruct any street, drain, or gutter, without first obtaining a permit therefor from the city engineer. [11 P. M. G.—27.]

Sec. 851. Depositing dirt, garbage, etc.—It shall be unlawful for any person to deposit any sand, dirt, garbage, rubbish, offal, or material of any description in any street or public way. [86—63.]

Sec. 852. Grading and paving.—It shall be unlawful to grade, fill, or repave any part of the public street, without first obtaining a permit therefor from the city engineer. [11 P. M. G.—28.]

Sec. 853. Selling vehicles, merchandise, etc.—It shall be unlawful to sell or expose for sale in a public street or public place, any

¹ **Obstruction of streets.**—The placing of two stepladders in the street for the purpose of cleaning the side of the house, under the circumstances stated in the case cited, did not constitute a violation of this and other sections hereof relating to the obstructions of streets: *U. S. v. Alexander*, 8 Phil., 29. See also note to sec. 821 hereof.

vehicle or any horse or other animal attached thereto, or any goods, wares, or merchandise of any description, without first obtaining a permit therefor from the Municipal Board. [11 P. M. G.—29.]

Sec. 854. Parades by circuses.—It shall be unlawful for any circus or menagerie to parade in the streets without first obtaining a license therefor from the Municipal Board, specifying the streets in and along which such parade may be made. [11 P. M. G.—30.]

Sec. 855. Banners and musical instruments for advertising.—It shall be unlawful to bear or carry upon any street or sidewalk, or on any wagon or any other vehicle in any public place, any banner or transparency for the purpose of advertising any trade, profession, business, festival, or place of amusement, or to parade or play upon any musical instruments in any public place for advertising purposes, without first obtaining a permit therefor from the Municipal Board. [93—34.]

Sec. 856. Begging, cooking, washing, etc.—It shall be unlawful for any person to beg, cook, wash clothes, horses, vehicles or other property, or commit any nuisance in the public streets. [11 P. M. G.—31.]

Sec. 857. Coolies.—It shall be unlawful for any coolie or bearer to occupy the sidewalks while pursuing his calling. [11 P. M. G.—5.]

Sec. 858. Barbering.—It shall be unlawful for any person or persons to engage in the business of cleaning the ears, scraping the eyelids, or barbering upon any street, lane, alley, or public square in the city of Manila. [86—113.]

CHAPTER 93.

CERTAIN PUBLIC PLACES.

Sec.

859. The Luneta.

860. The Escolta.

Sec.

861. Peddlers in certain districts.

Sec. 859. The Luneta.—The Luneta shall at all times be reserved for the use of passenger vehicles, and no cart or other freight vehicle shall be allowed thereon. [11 P. M. G.—23.]

Sec. 860. The Escolta.—It shall be unlawful for any cart or freight wagon to traverse the Escolta from eight o'clock antimeridian to twelve o'clock, noon, and from three o'clock postmeridian to seven o'clock postmeridian. All such vehicles leaving or approaching the Escolta or the Bridge of Spain between these hours, shall drive north on Muelle del Silva, Plaza Moraga, Plaza Cervantes, and Calle Anloague, and south on Calle Nueva; and Calle Anloague and Calle Nueva shall be kept free and clear for the passage of such

vehicles, and teams shall not be allowed to stand thereon between these hours. [11 P. M. G.—22.]

Sec. 861. Peddlers in certain districts.—Licensees under chapter forty-three hereof shall not be permitted to ply their trades or vocations, sell or offer to sell their wares in the streets, plazas, or along sidewalks or other public ways within the following described districts: Beginning at the intersection of Calles Barcelona and San Fernando, thence along Calle San Fernando to Estero de Binondo; thence in a northwesterly direction along said estero to its intersection with the Estero de Meisic; thence in a southeasterly direction along the Estero de Meisic to its intersection with Estero San Jacinto; thence in a southeasterly direction along the Estero San Jacinto to the Pasig River; thence along said Pasig River in a westerly direction to a point at the southern end of Calle Barcelona; thence along Calle Barcelona to the point of beginning; and, beginning at the intersection of the Estero de San Miguel with the Pasig River, along said Pasig River to the Santa Cruz Bridge; thence to Calle Echague; thence along Calle Echague to Calle San Roque; thence along Calle San Roque to Calle Crespo; thence along Calle Crespo to Estero Curtidor; thence along Estero Curtidor to Estero de San Miguel; thence along Estero de San Miguel to the point of beginning: *Provided*, That this section shall not be so construed as to prohibit such peddlers, hawkers, and hucksters from going from house to house in the above-described districts and offering their goods or wares for sale in the houses. [93—102.]

TITLE 13.

VEHICLES.

Chap.
94. Vehicles in general.

Chap.
95. Public vehicles.

CHAPTER 94.

VEHICLES IN GENERAL.

Sec.
862. Registration.
863. Owners' duties.
864. Lights.
865. Drivers' qualifications and
duties.

Sec.
866. Names and residences of drivers
and owners.
867. Misconduct of drivers.
868. Bicycles.

Sec. 862. Registration.—All horses, whether for private use or for hire, shall be registered with the city assessor and collector. [11 P. M. G.—16.]

Sec. 863. Owners' duties.—The owner of a vehicle shall keep the harness and vehicle in a proper condition of cleanliness and repair, and provide a competent and trustworthy driver, suitable horses or other animals, and all equipment required by this title. [11 P. M. G.—15.]

Sec. 864. Lights.—Every passenger vehicle shall carry two lights, and every cart and freight vehicle shall carry one light, when in use after dark. [11 P. M. G.—10.]

Sec. 865. Drivers' qualifications and duties.—The driver of any vehicle shall be at least sixteen years of age, of intelligence and good character, and free from infectious or contagious disease; he shall at all times be courteous and respectful to the public; he shall not absent himself from his vehicle on the street unless by reason of necessity or business, in which case the vehicle shall be left in charge of a competent person; he shall not stand or loiter around doorsteps, on platforms, or in front of any house, store, or other building, to the inconvenience or annoyance of the occupants thereof. The cochero may drive from the passenger seat of calesas and other carriages where the cochero's seat is in rear of the passengers.

In other carriages the cochoero shall occupy no part of the vehicle except the seat reserved for him, while the carriage is in motion. [13—2.]

Sec. 866. Names and residences of drivers and owners.—The driver of any vehicle shall give to any responsible person who shall request it, his name and residence and the name and residence of the owner of the vehicle. [11 P. M. G.—13.]

Sec. 867. Misconduct of drivers.—All claims and reports of misconduct on the part of a driver shall be submitted to the commanding officer of the nearest police station. [11 P. M. G.—14.]

Sec. 868. Bicycles.—Every bicycle shall be regarded as a vehicle and subject to all ordinances and regulations relating thereto. It shall carry a light when in use after dark, and a bell or whistle at all times, which shall be sounded when approaching any street crossing or intersection, or any vehicle or person occupying the street. [11 P. M. G.—21.]

CHAPTER 95.

PUBLIC VEHICLES.

Sec.	Sec.
869. Term "horse" construed.	884. License numbers on carts; tariff card.
870. Other terms construed.	885. Badges on drivers; familiarity with city.
871. Livery stables, schedule of rates, collection of excessive rates.	886. Refusal to convey passengers and merchandise; overcharging.
872. Driver's possession of license and tariff card.	887. Unlawful use of numbers.
873. Equipment and maintenance.	888. Public vehicles unused.
874. Numbers on public carriages.	889. Vehicles unserviceable, license suspended.
875. Signals.	890. Blocking public way.
876. Rates of fare.	891. Parcels left in vehicles.
877. Baggage.	892. Complaints and disputes.
878. Persons admitted.	893. Owners responsibility for damage.
879. Persons with dangerous communicable diseases.	894. Regulations.
880. Disorderly passengers.	
881. Public vehicle stations.	
882. Rates for carts.	
883. Liens of public cartmen.	

Sec. 869. Term "horse" construed.—The term "horse" wherever used in this or other ordinance or regulation shall be taken to mean any draft animal. [93—155.]

Sec. 870. Other terms construed.—The several terms mentioned, wherever used in this chapter and in chapter fifty-three hereof, shall be construed as follows:

The term "public vehicle" shall include every carriage, cart, or

any other vehicle seeking employment from the general public: *Provided*, That nothing in this chapter contained shall be construed as regulating the rates of livery vehicles, omnibus lines, horse, electric, or steam railways, or carriages running at regular intervals to boats and railway terminals in connection with hotels for the accommodation of guests.

The term "public carriage" shall include carruaje, carromata, calesa, carretela, quilez, or other vehicle conveying passengers which goes into the streets to seek employment from the general public.

The term "public cart" shall include every cart, dray, truck, wagon, or other vehicle used for conveying goods, merchandise, or material, for hire, which goes into the streets to seek employment from the general public. [93—155.]

Sec. 871. Livery stables, schedule of rates, collection of excessive rates.—Licensed livery stables keeping vehicles for public use shall keep posted in a conspicuous place in the stable a printed schedule of rates charged for the use of each class of vehicles, and shall keep a copy of such schedule in some convenient place about the vehicle at all times when in use. It shall be unlawful to collect any fare in excess of the advertised rates, or to collect any fare unless such schedule is presented to the passenger upon demand. [93—122.]

Sec. 872. Driver's possession of license and tariff card.—The driver of any public carriage shall, when in charge of the same, have in his possession the vehicle license and the authorized tariff card. In the absence of such license or tariff card it shall be unlawful for him to demand any pay for the conveyance of passengers. [93—157.]

Sec. 873. Equipment and maintenance.—Every public carriage shall be provided with lamps, top, curtains, rain apron, and strong, well-trained horses. The vehicle shall be kept neat and well painted, and both harness and vehicle shall be kept in good repair. [93—158.]

Sec. 874. Numbers on public carriages.—Every public carriage shall bear upon the back thereof a metal plate, five centimeters by ten centimeters in size, upon which shall be legibly marked the number of such vehicle in figures three centimeters in height. The same number shall be legibly stenciled in letters of the same size upon the outer face of each lamp: *Provided*, That automobiles or other public vehicles run by other than animal power shall bear upon the back thereof a plate painted white bearing its number in figures not less than fifteen centimeters in height. [93—159.]

Sec. 875. Signals.—Every public carriage shall carry a signal, painted white and attached to the left-hand side of the dash-board, where it can be plainly seen. When the carriage is engaged the signal shall be turned down so as not to be visible. If there is no dash-board the signal shall be attached to the top or canopy, to the left of the driver. [93—160.]

Sec. 876. Rates of fare.—The rates of fare for use of each public carriage shall be computed from the time the same is engaged until dismissed, in accordance with the following schedule:

Carriage for two horses.

	One or two persons.	Three persons.	Four persons.
For one-half hour -----	P0. 50	P0. 60	P0. 70
For first hour -----	. 80	1. 00	1. 20
For each succeeding hour -----	. 50	. 60	. 70

Calesa, carromata, quilez, or other vehicle for one horse.

	One or two persons.	Three persons.	Four persons.
For one-half hour -----	P0. 30	P0. 40	P0. 50
For first hour -----	. 40	. 60	. 70
For each succeeding hour -----	. 30	. 40	. 50

For each fractional part of an hour after the first hour a proportional part of the above rates shall be charged. Double fare may be charged between midnight and six o'clock antemeridian. Drivers shall not be compelled to carry passengers beyond the city limits. [93—161.]

Sec. 877. Baggage.—Every public carriage shall transport, without extra charge, reasonable baggage not in excess of fifty pounds and the driver shall assist in loading or unloading such baggage. [93—162.]

Sec. 878. Persons admitted.—The driver of any vehicle which is not engaged shall admit to his carriage all persons belonging to the same group or party, for which there are seats in his carriage: *Provided*, That he shall not be compelled to admit—

(a) Any intoxicated person, except by order of the police;

(b) Any vagrant or suspicious character who shall not, upon request, display the estimated fee for his destination;

(c) Any person to the driver's seat or box. [93—163.]

Sec. 879. Persons with dangerous communicable diseases.—The drivers of public vehicles shall not admit therein any person known to be afflicted with a dangerous communicable disease. [86—173.]

Sec. 880. Disorderly passengers.—If a passenger becomes disorderly or abusive, attempts to occupy the driver's seat, or in any way disturbs the peace, the driver may suspend the trip and notify the police. [93—164.]

Sec. 881. Public vehicle stations.—The Municipal Board shall designate stands or stations for public vehicles, at convenient points in the several districts, which stations shall be marked by a suitable sign bearing the words “public vehicle station,” and it shall be unlawful for any public vehicle to stand for employment at places other than those authorized. [93—165.]

Sec. 882. Rates for carts.—The rates to be charged for the use of each public cart shall be computed from the time it is engaged until dismissed in accordance with the following schedule :

Carts for two horses.

For first hour	₱1.00
For each succeeding hour.....	0.80

Carts for one horse.

For first hour	₱0.80
For each succeeding hour	0.60

Carabao carts.

For first hour	₱0.60
For each succeeding hour	0.40

For each fraction of an hour after the first a proportional part of the above rates shall be charged. [93—166.]

Sec. 883. Liens of public cartmen.—Every public cartman shall have a lien upon any article transported by him for cartage due him for such transportation. In case of controversy, he may convey such articles to the district police station, where any dispute, regarding the amount due for carriage shall be submitted to the officer in charge of such station. [93—167.]

Sec. 884. License numbers on carts; tariff card.—Every public cart shall have the license number painted on each side in figures eight centimeters long. The authorized schedule of rates shall be kept in some convenient place about the vehicle at all times when the same is in use, and it shall be unlawful to demand any pay for such cartage unless such schedule is presented to the person using the vehicle, upon his request. [93—168.]

Sec. 885. Badges on drivers; familiarity with city.—The driver of a public vehicle shall wear upon his breast a metal badge bearing a number corresponding to that of the vehicle, and shall be familiar with the names and location of the streets, plazas, and public places of the city. [93—169.]

Sec. 886. Refusal to convey passengers and merchandise; overcharging.—It shall be unlawful for the driver or owner to refuse to convey a passenger in any public carriage, or goods, merchandise, or material in any public cart, when applied to for that purpose, or, having undertaken to convey the same, to neglect to do so, or to demand or receive for such conveyance any greater price or rate than is in this chapter prescribed: *Provided*, That he shall be

allowed a reasonable time between twelve o'clock and thirty minutes and one o'clock and thirty minutes postmeridian and seven and eight o'clock postmeridian to rest and feed his horses, and public carriages going to or returning from their stables shall not be subject to hire during these periods. [93—170.]

Sec. 887. Unlawful use of numbers.—It shall be unlawful for any person to keep, use, drive, or employ any vehicle not licensed, with numbers thereon taken from licensed vehicles, or resembling such numbers, or for any person holding a license to use the numbers on any other vehicle than the one licensed. [93—171.]

Sec. 888. Public vehicles unused.—Whenever, upon sale or from other cause, a public vehicle ceases to be used as such, the person holding the license shall report that fact to the city assessor and collector, who shall cause a record of such fact to be made and shall cause the number and other distinguishing marks to be removed from the vehicle. [93—172.]

Sec. 889. Vehicles unserviceable, license suspended.—Whenever a public vehicle becomes unserviceable or unfit for public use, or is not provided with suitable horses or other animals, the police or the city assessor and collector, through his agents or inspectors, is authorized to take up the license, and such license shall be suspended until the vehicle is again in condition for use, and the license returned by the city assessor and collector. [93—173.]

Sec. 890. Blocking public way.—Public vehicles arriving at public stations shall not occupy a greater space than is assigned to them, or block the public way to the free passage of other vehicles. They may stand crosswise of the street if traffic is not impeded thereby. If there is not space at a particular station, the driver shall move on. [93—174.]

Sec. 891. Parcels left in vehicles.—Whenever any parcel or baggage of any kind is left in a public vehicle or in the custody of the driver thereof, such driver shall forthwith deliver the same, under receipt, to the commanding officer at the nearest police station, unless sooner delivered to the owner of such parcel, or to his order. [93—175.]

Sec. 892. Complaints and disputes.—All complaints for offenses on the part of the owner or driver of any public carriage and all disputes as to the rate of compensation shall be submitted to the commanding officer of the nearest police station. [93—176.]

Sec. 893. Owners responsibility for damage.—The owner of any licensed vehicle shall be responsible for all damage that may result from violations of any of the provisions of this chapter. [93—177.]

Sec. 894. Regulations.—The officers in charge of the several departments are authorized to issue such regulations, approved by the Municipal Board, not in conflict with the provisions of this chapter, as may be necessary to carry the same into effect. [93—178.]

TITLE 14.

VETERINARY REGULATIONS.¹

Chap.
96. General regulations.

Chap.
97. The public slaughterhouse.

CHAPTER 96.

GENERAL REGULATIONS.²

Sec.
895. Authority of veterinarians.
896. "Domestic animals" defined.
897. "Dangerous communicable disease" defined.
898. Inspection before admission to city.
899. Inspection, owner's duties; work animals.
900. Quarantine, cost of subsistence.
901. Method of protest against condemnation.
902. Killing and disposal of condemned animals.
903. Sick animals not to be driven or sold.

Sec.
904. Sick animals running at large.
905. Reporting animals with dangerous communicable diseases.
906. Regulating infected places.
907. Notification of animal's death.
908. Stables to be disinfected.
909. Sale, diseased meats, unlawful.
910. Unlawful disposal of dead animals.
911. Cremation.
912. Preservation by taxidermy.
913. Food, water, and ventilation.
914. Floors of stables.
915. Drains.
916. Lime-washing.

Sec. 895. Authority of veterinarians.—The Bureau of Agriculture shall have authority through its regularly appointed veterinarians—

(a) **Right to board water craft:** To board any ship, launch, casco, or other water craft entering the port of Manila or any of the waterways within this city for the purpose of inspecting any domestic animals or any effects pertaining thereto that may be on such vessel.

¹ **Registration, etc., of large cattle.**—Act No. 1147, sec. 37, reads: "The city of Manila is exempted from the operation of this Act, and within the jurisdiction of the city of Manila ordinances and regulations for the registration, transfer, and slaughter of large cattle now in effect are continued in force, subject to the right of the municipality of Manila to amend the same: *Provided, however,* That the official now or hereafter charged with the duty of registering brands, shall forward to the Bureau of Archives (division of archives, etc., Executive Bureau) a report of all brands now or hereafter registered."

² See also chap. 76, especially secs. 734, 735, 736, 742 thereof; and chap. 83, secs. 799, 800 thereof.

(b) **Inspection of animals brought into city:** To inspect all domestic animals shipped by rail, hauled, driven, or otherwise brought into the city of Manila.

(c) **Entry of public or private premises:** To enter, after properly communicating the purpose of the visit, any public or private premises where any animal affected or supposed to be affected with any dangerous communicable disease is kept, or is supposed to be kept, for the purposes of inspecting the same.

(d) **Animals prohibited entrance into city:** To prohibit the entrance into the city of Manila of any animal suffering from any contagious or infectious disease the tendency of which is to cause the death of such animal or animals or render them unfit for work or for human food.

(e) **Quarantine:** To quarantine at such place and for such time as may be necessary any animal or animals affected with any contagious or infectious disease or which may have been exposed to such disease. However, sick animals attended by a recognized veterinary doctor shall be respected because he is, of course, responsible for compliance with section nine hundred and five hereof.

(f) **Condemnation and cremation:** To condemn and cause to be cremated any animal or animals within the police limits of the city of Manila when such animals are found to be affected with a dangerous communicable disease endangering the safety of other animals with which they may come in contact.

(g) **Inspection of animals removed from city:** To inspect all animals intended for shipment or removal from the city of Manila to any other place in the Philippine Islands or any foreign port, and issue certificates to accompany such animals certifying that they are free from any dangerous communicable disease, or prohibit their shipment or removal from the city of Manila if affected with such disease.

(h) **Disinfection of boats, railway cars, and vehicles:** To require the cleaning and disinfecting of any boat or other water craft, railway car, wagon, cart, or other vehicle which has been used for the transportation of animals at such times as he may deem necessary to prevent the spread of contagious or infectious animal diseases.

(i) **Inspection fees:** To collect such inspection fees from the owners or their agents of animals shipped, driven, or otherwise brought into or sent out of the city of Manila as may be authorized by the ordinances of the Municipal Board.

(j) **Permits for cremation:** To issue permits for the landing for cremation of dead animals arriving in the port of Manila.

(k) **Slaughter and sale:** To supervise the admission to the slaughterhouse of all animals intended for slaughter, and prohibit the slaughter and sale of any animal which may be affected with any disease, wound, or injury which renders it unfit for human food,

and to have such animals or the diseased parts thereof condemned and cremated.

(1) **Animal food stuffs:** To inspect all clases of animal food stuffs kept in cold storage. [86—226.]

Sec. 896. "Domestic animals" defined.—For the purpose of this title, domestic animals are defined to be horses, mules, asses, cattle, carabaos, hogs, sheep, goats, dogs, deer, and circus animals or those intended to be used for show purposes. [86—227.]

Sec. 897. "Dangerous communicable disease" defined.—For the purpose of this title, a dangerous communicable disease shall be held to be glanders, farcy, surra, rinderpest, hemorrhagic septicæmia, cholera, foot-and-mouth disease, Texas fever, tuberculosis, or any other acute communicable disease which may cause a mortality of over five per centum in the period of one month. [86—228.]

Sec. 898. Inspection before admission to city.—All animals and any food, water, or effects connected with such animals shall be subject to inspection by the veterinarians of the Bureau of Agriculture before being admitted into the city of Manila. [86—229.]

Sec. 899. Inspection, owner's duties; work animals.—On the arrival of any live stock to be landed or brought into the city of Manila it shall be inspected, and it shall be the owner's duty to apply to the Director of Agriculture for such inspection: *Provided*, That animals used for work purposes and entering the city in actual performance of work shall be exempted from the provisions of this section and the payment of all inspection fees. [86—230.]

Sec. 900. Quarantine, cost of subsistence.—Animals which have been in contact with an animal or animals suffering from a dangerous communicable disease, or animals which are believed to have been exposed to the infection of such diseases, shall be quarantined and segregated for such period as the Director of Agriculture, on the recommendation of a veterinarian of the Bureau of Agriculture, may prescribe, and the cost of subsistence of such animals during the period of quarantine shall be borne by the owner: *Provided*, That the charge for such subsistence shall not exceed one peso per day for each animal so quarantined or segregated. [86—231.]

Sec. 901. Method of protest against condemnation.—The owner of a condemned animal may delay the slaughter and cremation of such animal for a period not to exceed twenty-four hours by depositing with a veterinarian of the Bureau of Agriculture the cost of one day's maintenance of such animal and immediately filing a protest, in writing, with the Director of Agriculture stating his reasons for such protest. The owner may then have the condemned animal examined by any recognized veterinarian other than those employed by the Bureau of Agriculture, and said veterinarian shall render to the Director of Agriculture in writing a statement of his diagnosis within twenty-four hours after the

animal was condemned. In case he does not concur in the diagnosis made by the veterinarian of the Bureau of Agriculture, the Director of Agriculture shall render a decision as to what disposition shall be made of the animal, and his decision shall be final. [86—232.]

Sec. 902. Killing and disposal of condemned animals.—Whenever a veterinarian of the Bureau of Agriculture condemns an animal in accordance with the provisions of this title, he shall tag the same and notify the department of sanitation and transportation, which shall have full charge of the killing and disposal of animals so condemned. [86—233.]

Sec. 903. Sick animals not to be driven or sold.—It shall be unlawful for any person owning or having in charge any domestic animal affected with any dangerous communicable disease, knowing such animal to be diseased, to drive or permit same to be driven upon any street or public place, or to sell or dispose of such animal. [86—234.]

Sec. 904. Sick animals running at large.—It shall be unlawful for the owner or person in charge of any animal affected with any dangerous communicable disease, knowing the animal to be so affected, to allow such animal to run at large or to be tethered on any uninclosed land or other place where it is liable to come in contact with other animals susceptible to such disease, within the city of Manila. [86—235.]

Sec. 905. Reporting animals with dangerous communicable diseases.—Every veterinarian, and every person practicing as such, shall forward to the Director of Agriculture a written notice over his signature of every case of glanders, farcy, surra, or other dangerous communicable disease in animals within the city of Manila which may have come under his observation or to his knowledge, and such notice shall be given within two days and shall contain the name and residence of the possessor of the animal so far as the same can be ascertained, a description of the animal, and when last seen by the person giving notice. It shall be the duty of policemen to notify the Bureau of Agriculture of all suspected animals that may come within their observation or knowledge. [86—236.]

Sec. 906. Regulating infected places.—When a stable or place is declared by proper authority to be infected with a dangerous communicable disease affecting animals, the removal therefrom of any animal, carcass, fodder, litter, utensils, or other thing is prohibited unless authorized by a veterinarian of the Bureau of Agriculture. [86—237.]

Sec. 907. Notification of animal's death.—Any person in charge of an animal dead of a dangerous communicable disease shall notify the Director of Agriculture immediately, so that proper provision may be made for the disinfection of the stable or premises. [86—238.]

Sec. 908. Stables to be disinfected.—Every stable or other place where infected animals have been kept shall be thoroughly disinfected, immediately after the removal of such animals, under such rules and regulations as may be prescribed by the Bureau of Health. [86—239.]

Sec. 909. Sale, diseased meats, unlawful.—It shall be unlawful for any person to sell or offer for sale in the city of Manila any meat or other product from the body of an animal which has died of any disease, or from any other cause which renders it unfit for human food as determined by the veterinarians of the Bureau of Agriculture. [86—240.]

Sec. 910. Unlawful disposal of dead animals.—It shall be unlawful for any person to deposit the body of any dead animal, or any part thereof, in any stream, waterway, street, or other premises in the city of Manila except as provided for in title eleven hereof. [86—241.]

Sec. 911. Cremation.—The bodies of animals dead of dangerous communicable diseases within the limits of the city of Manila, or which may die on any vessel lying in the waterways or the harbor of Manila, shall be cremated unless otherwise authorized by the Director of Agriculture. [86—242.]

Sec. 912. Preservation by taxidermy.—The provisions of this chapter shall not apply to skins, skeletons, and tissues of dead animals which the Director of Agriculture may give permission in writing to preserve by taxidermy or for scientific purposes: *Provided*, That this permission or any other shall not be required for the preservation of insects, birds, and poultry. [86—243.]

Sec. 913. Food, water, and ventilation.—All domestic animals used for draft, food, or dairy purposes must be provided with sufficient food, water, and ventilation to keep them in good health and condition. Any closed stables, corral, or pen shall contain at least twenty-three cubic meters of air space for each horse, mule, carabao, or each head of cattle, or eight meters of air space for each sheep, goat, or any other animal weighing over ten kilos found or ascertained to be kept or quartered therein. [86—244.]

Sec. 914. Floors of stables.—The floors of the stalls in stables shall have a slant from front to rear of not less than one vertical to twenty-five horizontal, shall be made water-tight, and of the following materials: Tongue-and-grooved planks, cement, stone flagging, asphalt, or broken rock laid to a depth of at least fifteen centimeters and covered with well-tamped clay. The water-tight flooring of the stalls may be covered with suitable bedding material: *Provided*, That such material shall not be allowed to become saturated with animal discharges and remain insanitary. [86—245.]

Sec. 915. Drains.—Liquid discharges from animals shall, where practicable, be conducted into a drain or canal emptying into a cesspool or sewer, and said drain or canal shall be frequently flushed and kept clean. [86—246.]

Sec. 916. Lime-washing.—All interior walls, ceilings, or fittings of stables shall be lime-washed or otherwise protected as often as may be ordered. [86—247.]

CHAPTER 97.

THE PUBLIC SLAUGHTERHOUSE.

Sec.	Sec.
917. Slaughtering; certain pigs and kids.	921. Fees.
918. Authority of superintendent.	922. Resistance, obstruction, and molestation.
919. Admission; period remaining.	923. Employees' purchase or sale of animals for slaughter.
920. Inspectors' decision final.	

Sec. 917. Slaughtering; certain pigs and kids.—No person shall slaughter any four-footed animal for food or sale, or cause or allow the same to be done, except in the public slaughterhouse: *Provided*, That suckling pigs and kids of not more than fifteen kilos' weight may be slaughtered on private premises for personal use only, and not for sale. [86—248.]

Sec. 918. Authority of superintendent.—The superintendent of the public slaughterhouse shall have entire charge thereof, and of all operations carried on therein, except the admission and inspection of animals, and shall enforce such regulations for the slaughterhouse, not in conflict with the provisions of this title and of title eleven hereof, as may be adopted from time to time by resolution of the Municipal Board; shall be responsible for the good order and for the maintenance of the slaughterhouse and utensils or appurtenances belonging thereto, in a sanitary condition satisfactory to the Director of Health and the Director of Agriculture, and for the collection of the fees hereinafter in this chapter fixed; shall be present whenever meat is being weighed or fees collected; shall pay to the cashier at the office of the city assessor and collector before nine o'clock each morning all fees collected during the previous day, and shall see that all animals and meat at the slaughterhouse are ready for inspection each day by a veterinarian of the Bureau of Agriculture. [86—249.]

Sec. 919. Admission; period remaining.—No animal the ownership of which is in dispute shall be admitted to the slaughterhouse. No animal shall remain in the slaughterhouse for more than twenty-four hours. [86—250.]

Sec. 920. Inspectors' decision final.—The decision of the veterinary inspector condemning any slaughtered animal intended for food, or any part thereof, shall be final, and the meat of any animal condemned by veterinary inspectors shall be immediately reported to the superintendent of the slaughterhouse, who shall take charge of

the same, receipt for it, and have the animals or parts condemned cremated as soon as practicable. [86—251.]

Sec. 921. Fees.—There shall be charged and collected for each kilogram of meat, including the tongue, heart, and liver of any animal, a fee of three centavos. No meat shall be taken from the slaughterhouse until such fee has been paid to the superintendent. [86—252.]

Sec. 922. Resistance, obstruction, and molestation.—No person shall resist, obstruct, or molest the superintendent of the public slaughterhouse or the veterinary inspector or any employee therein in the exercise of his duties as superintendent, veterinary inspector, or employee. [86—253.]

Sec. 923. Employees' purchase or sale of animals for slaughter.—No superintendent or other person in charge of the public slaughterhouse, or employed in or about the same, shall purchase, sell, or be directly or indirectly interested in the purchase or sale of any animal for slaughter, or of any meat taken from such slaughterhouse. [86—254.]

TITLE 15.

MISCELLANEOUS LEGISLATION.

Chap.	Chap.
98. Public parks.	100. Penalties.
99. Fees for certified copies of city records.	101. Repeal provisions.

CHAPTER 98.

PUBLIC PARKS.

Sec.	Sec.
924. Purposes.	926. Flower beds and grass plots.
925. Avenues and roads.	927. Dogs and other pet animals taken into.

Sec. 924. Purposes.—Parks and other public places shall be reserved for purposes of recreation and amusement. [11 P. M. G.—14.]

Sec. 925. Avenues and roads.—No person shall ride or drive upon any other part of any park or other public place than the avenues and roads regularly laid out for that purpose.

Sec. 926. Flower beds and grass plots.—No person shall walk on or over flower beds in any park or other public place, or on or over any grass plot which may be designated by any fence or sign as not open to the public.

Sec. 927. Dogs and other pet animals taken into.—No person shall take or allow to be taken into the Botanical Gardens or other public parks dogs or other pet animals, unless the same are secured by a chain, cord, or other device, held by the person responsible for said animals. [88—1.]

CHAPTER 99.

FEES FOR CERTIFIED COPIES OF CITY RECORDS.

Sec.	Sec.
928. Fees.	929. Monthly deposit and statement.

Sec. 928. Fees.—The secretary of the Municipal Board shall charge and collect the following fees for all certified copies of city

records and documents furnished by him, except copies furnished to Government officials for official use only:

- (a) For each one hundred words of copy or fraction thereof..... ₱0.50
 - (b) For each certificate to a copy 2.00
- [37—1.]

Sec. 929. Monthly deposit and statement.—The secretary of the Municipal Board shall deposit with the city assessor and collector, on the last day of each month, all fees received by him under the provisions of this chapter during such month, and shall, at the same time, deliver to the Insular Auditor an itemized statement of such fees. [37—2.]

CHAPTER 100.

PENALTIES.

Sec. 930. Misdemeanors, penalty for.—Whenever by this ordinance, or by any ordinance hereafter enacted, or by any regulation which has been made and approved by the Municipal Board or which hereafter may be made and approved by said Board, the performance of any act, or the omission to perform any act or duty, is declared to be a breach of ordinance or regulation, or if any person shall violate any provision of this or other ordinance or regulation or cause the same to be done, and no specific penalty is prescribed therefor, the same shall constitute a misdemeanor, and any person convicted thereof shall be punished by a fine of not more than two hundred pesos or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court, for each offense.

CHAPTER 101.

REPEAL PROVISIONS.

Sec.	Sec.
931. What Revised Ordinances embrace.	935. Provisions of limitation.
932. Previous ordinances repealed; list of exceptions.	936. Arrangement and classification of sections.
933. Accrued rights unaffected.	937. Ordinances passed since June 30, 1908, not affected.
934. Prosecutions and punishments.	938. In effect, when.

Sec. 931. What Revised Ordinances embrace.—The foregoing one hundred chapters embrace the ordinances of the city of Manila, general and permanent in their nature, in force on the thirtieth

day of June, nineteen hundred and eight, as revised and consolidated by authority of the Municipal Board, and the same shall be designated and cited as "The Revised Ordinances of the City of Manila."

Sec. 932. Previous ordinances repealed; list of exceptions.—All orders of the Provost Marshal General promulgating ordinances for the city of Manila and all ordinances of the Municipal Board of said city from Ordinance Numbered One to Ordinance Numbered One hundred and three, both inclusive, are hereby repealed, except the ordinances contained in the following list,¹ which are expressly exempted from said repeal and which shall continue in full force and effect:

Ordinance No. 44.—An ordinance granting to Charles M. Swift a franchise to construct an electric street railway on the streets of Manila and its suburbs, and a franchise to construct, maintain, and operate an electric light, heat, and power system in the city of Manila and its suburbs.

Ordinance No. 70.—An ordinance amending Ordinance Numbered Forty-four of the Municipal Board, enacted March twenty-fourth, nineteen hundred and four, entitled "An ordinance granting to Charles M. Swift a franchise to construct an electric street railway on the streets of Manila and its suburbs, and a franchise to construct, maintain, and operate an electric light, heat, and power system in the city of Manila and its suburbs."

Ordinance No. 71.—An ordinance approving of certain changes in the lines of the Manila Electric Railroad and Light Company.

Ordinance No. 73.—An ordinance approving of certain changes in the lines of the Manila Electric Railroad and Light Company.

Ordinance No. 52.—An ordinance granting a license to the Eastern Extension Australasia and China Telegraph Company, Limited, and the Commercial Pacific Cable Company to lay an underground cable on certain streets of the city of Manila, and providing the conditions under which the right may be exercised.

Sec. 933. Accrued rights unaffected.—The repeal of the ordinances, not excepted by the last preceding section, shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before said repeal, but all rights and liabilities under said ordinances shall continue, and may be enforced in the same manner as if said repeal had not been made.

Sec. 934. Prosecutions and punishments.—All offenses committed, and all penalties or forfeitures incurred under any such repealed ordinance prior to said repeal, may be prosecuted and punished in the same manner and with the same effect, as if said repeal had not been made.

Sec. 935. Provisions of limitation.—All provisions of limitation, whether applicable to civil causes and proceedings, or to the prosecution of offenses, or for the recovery of penalties or forfeitures, embraced in this revision or covered by said repeal, shall not be affected thereby, but all suits, proceedings, or prosecutions, whether

¹ For text of ordinances not repealed, see Part III.

civil or criminal, for causes arising, or acts done or committed, prior to said repeal, must be commenced and prosecuted within the same time as if said repeal had not been made.

Sec. 936. Arrangement and classification of sections.—The arrangement and classification of the several sections of this revision have been made for the purpose of a more convenient and orderly arrangement of the same, and no inference or presumption of a legislative construction is to be drawn by reason of the title or chapter under which any particular section is placed.

Sec. 937. Ordinances passed since June 30, 1908, not affected.—The enactment of this revision shall not affect or repeal any ordinance of the Municipal Board passed since the thirtieth day of June, nineteen hundred and eight, and so far as such ordinances vary from or conflict with any provision contained in this revision, they are to have effect as subsequent ordinances and as amending or repealing any portion of this revision inconsistent therewith.

Sec. 938. In effect, when.—This ordinance shall take effect on the twelfth day of August, nineteen hundred and eight.

Enacted, June 30, 1908.

FÉLIX M. ROXAS,
President of Municipal Board.

G. S. LANE,
Acting Secretary.

PART III.
SPECIAL ORDINANCES.

PART III.

SPECIAL ORDINANCES.

THE FRANCHISES OF THE MANILA ELECTRIC RAILROAD AND LIGHT COMPANY.¹

Ordinance No. 44.—An ordinance granting to Charles M. Swift a franchise to construct an electric street railway on the streets of Manila and its suburbs, and a franchise to construct, maintain, and operate an electric light, heat, and power system in the city of Manila and its suburbs.

Whereas, by Act Numbered Four hundred and eighty-four of the Philippine Commission,² enacted October twentieth, nineteen hundred and two, authority was given to the Municipal Board of the city of Manila, with the consent of the Advisory Board and the approval of the Philippine Commission, to grant to the most favorable bidder as therein provided, a franchise to construct and maintain in the streets of Manila and its suburbs an electric street railway, and a franchise to construct, maintain, and operate an electric light, heat, and power system in the city of Manila and its suburbs; and

Whereas, immediately after the passage of said Act, the Municipal Board caused to be filed with the Bureau of Insular Affairs of the War Department and in the office of the Municipal Board of the city of Manila the text of said law, together with a copy of the map of the city showing the projected routes, and made due advertisement as provided in said Act, that the franchise mentioned therein would be granted upon competitive bidding and that bids for compliance with the terms and conditions of the franchises, in the form of an obligation or contract to accept the franchises and comply with all their terms and conditions, would be received at any time before the fifth day of March, nineteen hundred and three, at the office of the Municipal Board of Manila as provided in said Act; and

Whereas, on the fifth day of March, nineteen hundred and three, the Municipal Board met for the purpose of opening the bids that

¹ Franchises appear as amended by Ordinance No. 70, p. 317 hereof.

² The franchises, as granted by the Municipal Board and as here printed, are practically transcripts of Acts Nos. 484 and 1112 of the Philippine Commission. See p. 100.

had been received as provided in said Act, and it was found that the only bid that had been received was that of Charles M. Swift, which is in words and terms as follows:

“JANUARY 12, 1903.

“To the MUNICIPAL BOARD OF THE CITY OF MANILA.

“GENTLEMEN: I beg leave to submit the following bid for a franchise to construct an electric street railway on the streets of Manila and its suburbs, and a franchise to construct, maintain, and operate an electric light, heat, and power system in the city of Manila and its suburbs, proposed to be granted by you after competitive bidding under and in accordance with an Act of the Philippine Commission enacted October 20, 1902, and entitled ‘An Act providing for the granting of a franchise to construct an electric street railway on the streets of Manila and its suburbs, and a franchise to construct, maintain, and operate an electric light, heat, and power system in the city of Manila and its suburbs after competitive bidding,’ on the following terms:

“I agree that if the franchise is awarded to me I will comply with all the terms and conditions of the franchises set forth in said Act: *Provided*—

“1. That the duration of the franchise shall be fifty years.

“2. That the fares to be charged on the street railway shall be as follows: Single fares, first-class cars, six cents; second-class cars, five cents. First-class-ticket fares to be sold under paragraph seventeen, at the rate of one hundred for five dollars and fifty cents, and second-class-ticket fares at the rate of six tickets for twenty-four cents.

“3. The percentage of gross receipts to be paid to be two and a half per cent of the fares collected and tickets sold on the street railway, and two and a half per cent of the gross earnings of the electric light, heat, and power plant.

“It is of course understood if my bid is accepted I will cause to be formed a corporation as provided in the Act to whom the franchise will be transferred.

“Very truly, yours,

(Signed) “CHAS. M. SWIFT.”

and

Whereas, the said Charles M. Swift had theretofore deposited with the Treasurer of the Philippine Archipelago a certified check for seventy-five thousand dollars in money of the United States, payable to the Treasurer of the Philippine Archipelago, as an evidence of good faith; and

Whereas, by resolution of March sixth, nineteen hundred and three, the Advisory Board of the city of Manila duly consented to, and approved of, the acceptance of the bid of said Charles M. Swift as set forth above and the granting of said franchises to him; and

Whereas, the Municipal Board of the city of Manila, by resolution

of March seventh, nineteen hundred and three, duly accepted the said bid of Charles M. Swift and awarded to him the privileges contained in said franchises in accordance with said Act Numbered Four hundred and eighty-four and with the terms of the bid set forth above; and

Whereas, the Philippine Commission, at a meeting held on March ninth, nineteen hundred and three, duly approved the action of the Municipal Board in accepting the bid of Charles M. Swift and awarding to him the franchises as provided by Act Numbered Four hundred and eighty-four amended to include the terms of his bid, with the proviso that said approval should not become operative unless the additional one hundred thousand dollars in money of the United States, in accordance with paragraph twenty-two of part one of section two, with paragraph eleven of part two of section two, and with section four of Act Numbered Four hundred and eighty-four, should be deposited with the Insular Treasurer and a duplicate of his receipt for the same furnished to the Municipal Board of Manila within three days from the date of said resolution; and

Whereas, on March ninth, nineteen hundred and three, the said Charles M. Swift deposited with the Treasurer of the Philippine Archipelago a certified check for one hundred thousand dollars in money of the United States, payable to the Treasurer of the Philippine Archipelago, and furnished to the Municipal Board of Manila a duplicate of his receipt for the same, said sum, together with the sum of seventy-five thousand dollars theretofore deposited by him in connection with his bid, to be retained and applied as provided in said Act Numbered Four hundred and eighty-four: Now, therefore,

Be it ordained by the Municipal Board of the city of Manila, that:

SECTION 1. A franchise is hereby granted to Charles M. Swift, for the period of fifty years, to construct, maintain, and operate an electric street railroad in the city of Manila and its suburbs, over the streets, thoroughfares, bridges, and public places set forth in part one hereof; and to construct, maintain, and operate an electric light, heat, and power system for the purpose of generating and distributing for sale light, heat, and power throughout the city of Manila and its suburbs; all in accordance with the terms and conditions set forth in the two parts hereof, respectively (the terms and conditions in part one applying only to the franchise therein referred to, and the terms and conditions in part two applying only to the franchise therein referred to), and the laws and ordinances, not inconsistent herewith, now or hereafter in force.

“PART ONE.

“PARAGRAPH 1. The grantee shall have the right and privilege, and is hereby authorized, subject to the laws and ordinances now or hereafter in force, not inconsistent herewith, to make all needful

excavations and constructions in or upon any of the streets, thoroughfares, bridges, and public places designated in the next succeeding paragraph for the purpose of placing, removing, and repairing tracks, sidings, curves, switches, and connections, and erecting poles, wires, and other overhead structures for the maintenance and operation of an electric street railroad, and for the generation, conduction, and distribution of electric current for said street railroad and for building, maintaining, and operating power houses therefor.

"PAR. 2. The streets, thoroughfares, bridges, and public places upon which the grantee is authorized to make such excavations and constructions are as follows:

"(a) Commencing at the southerly end of the Bridge of Spain, to and along Calzada de Magallanes, across the Plaza de Martires (Plaza de España) to Calle Santo Tomas, thence to Calle Cabildo, thence to Calle Fundicion, thence to Calle Palacio, thence through the wall and across the moat to Paseo de Vidal, thence along Paseo Bagumbayan to Calle San Luis, thence along Calle Real to Calle Cabañas, thence over the Bridge of San Antonio and to the Pasay race track: *Provided*, That the grantee shall have the right to operate its cars upon Calle Real, Malate, except in cases of temporary emergency or necessity, in but one direction, without the consent of the Municipal Board and shall not have the right to put in turn-outs along said street without like consent.

"(b) From the easterly end of Calle Aduana to Calle Palacio, thence to Calle Fundicion.

"(c) From the northerly end of the Bridge of Spain and its junction with the Escolta, along the Bridge of Spain, to its southerly end; thence from the southerly end of the Bridge of Spain to Paseo de Vidal, along said paseo to its junction with Calzada de Nozaleda, along said calzada to its junction with Calzada de San Marcelino.

"(d) From the junction of Calzada de Vidal and Calle Concepcion to Calzada de San Marcelino, along the latter calzada to its junction with Calzada de Nozaleda, thence to Calle Real (Paco), and along said street to the church of Santa Ana.

"(e) From the southerly end of the Bridge of Spain to the Bridge of Santa Cruz, across the Bridge of Santa Cruz, through Plaza Goiti, to Calle Echague, thence to Calle San Miguel, thence to Calle General Solano, thence to Calzada de Aviles, and along Calzada de Santa Mesa to Santa Mesa.

"(f) From Plaza Goiti to Plaza Santa Cruz, thence to Calle Enrile, thence to Calle Alcala, thence to Calle Almanza, thence to the Estero Cegado, thence to the line on Calzada de Bilibid.

"(g) From the intersection of Calle Jolo and the easterly approach to the Bridge of Binondo, thence across the Bridge of Binondo to Calle San Fernando, thence to Calle Madrid, thence to

Calle Aceiteros, thence to Calle de Sagunto, thence to Paseo de Azcarraga, thence to Calle General Izquierdo, thence to Calle San Bernardo, thence to Calle Paz, thence to Calle Bilibid, thence to Calle de Iris, to Plaza Santa Ana, thence along Calle Alix to the Rotonda de Sampaloc.

“(h) From the intersection of the Paseo de Azcarraga and Calle Ylaya, along the latter street, around Plaza Leon XIII, to and along Calle de Sande, to the Pretil Bridge.

“(i) From the intersection of Calle de Bilibid and Calle Cervantes, along said Calle Cervantes, to the San Lazaro race track.

“(j) From the intersection of Calle Ylaya and Paseo de Azcarraga, along Calle Ylaya to the junction of the line on Calle Jolo.

“(k) From the line at the intersection of Calle de Sagunto and Calle Aceiteros, along Calle de Sagunto, to Calle Clavel, along Calle Clavel to the line of Calle Madrid.

“(l) Along Calle de Lemerí and Calle de Jolo, from the Bridge of Pretil (near Tondo station) to Plaza de Binondo, across Plaza de Binondo, and along Calle Rosario, and to and across Plaza de P. Moraga, to and along the Escolta, to and across Plaza de Goiti, to and along Calle Carriedo, to and across Plaza de Miranda, to and along Calle de Crespo, to and along Calle de San Sebastian, to and across Plaza de Carmen, to and across Plaza de Santa Ana, to a junction with line (g), namely, the intersection of Calzada de Iris and Plaza de Santa Ana, also along the main road from Manila to Malabon, beginning at Tondo Station, near the Bridge of Pretil, to the limits of the city.

“(m) From the intersection of Calle San Luis and Calle Real (Ermita), along Calle San Luis, to and along the proposed Calle E, as the same is platted on the map of the Engineer of the city of Manila, which map has been approved by, and is now on file with, the Municipal Board of the city of Manila, to its intersection with Calle Padre Faura, thence along Calle Padre Faura to and along the proposed Calle D, as the same is platted on the map hereinbefore referred to, to and along a proposed street running from the cemetery at right angles to Calle Diaz Puertas, to Calle C, as the same is platted on the map hereinbefore referred to, along Calle C to a street running east from the end of Calle Cabañas and at right angles thereto, thence to and along said last-mentioned street to Calle Cabañas.

[Above paragraph appears as superseded by sec. 1, Ordinance No. 70, p. 317 hereof.]

“PAR. 2. (a). The Manila Electric Railroad and Light Company shall be authorized to make excavations and constructions for the purposes described in Part One of said Ordinance Numbered Forty-four, upon such further streets, thoroughfares, bridges, and public

places within the city of Manila as may, from time to time, be approved by the Municipal Board.

[Above paragraph is inserted by sec. 2, Ordinance No. 70, p. 317 hereof.]

“PAR. 3. The grantee shall have the right to lay double tracks upon each of the streets, thoroughfares, bridges, and public places mentioned in the last preceding paragraph, except the following, upon which (except with the express consent of the Municipal Board to the laying of double tracks) only single tracks shall be laid:

“Calle Enrile, Calle Jolo, Calle Almanza, Calle Carriedo, Calle Crespo, Calle Alcala, Estero Cegado, where these streets are less than twenty-four feet wide between curb lines; also Calle de Cabañas; also Calle Cabildo, Calle Santo Tomás, Calle Fundición, Calle Palacio, Calle Aduana, these last five being the streets within the Walled City: *Provided*, That the grantee shall have the privilege, under the direction of the Municipal Board, of placing upon all of the foregoing streets the necessary turn-outs, switches, and sidings: *And provided further*, That in all streets, thoroughfares, bridges, and public places, the tracks, rails, and other constructions of the grantee shall be so laid and located as to leave a clear driveway between the tracks and the curb line on at least one side of such tracks where the width of the street between the curbs makes it physically possible.

[Above paragraph appears as superseded by sec. 1, Ordinance No. 70, p. 317 hereof.]

“PAR. 4. The system of electric railroad to be installed hereunder by the grantee shall be the ‘overhead trolley system,’ but the grantee shall have the right and privilege to modify, improve, and change such system in such manner as the progress of science and improvements in and the development of motive power may make reasonable and proper; and at any time after twenty-five years from the date hereof the grantee may be required, by ordinance or law, to remove all of its overhead wires and other structures, if reasonably practicable, and to substitute therefor underground wires, or other approved conductor or motive power.

“PAR. 5. Standard T-rails of at least sixty pounds weight per yard may be used, and where used shall be laid and maintained true to the finished grade of the street or place, so that the grade of the street or place and the top of the rails shall present an unbroken surface, excepting that on the inner side of the rails of each track not more than sufficient space shall be left to allow the free passage of the car wheel flanges: *Provided, however*, That at least two miles of such tracks shall be laid with grooved rails of the most approved pattern, weighing not less than seventy pounds per yard, the Municipal Board to specify the streets or parts of streets where such

grooved rails shall be laid: *And provided further*, That whenever in the future the Municipal Board shall pave streets or places in which the T-rail is laid, with blocks of stone, wood, or other material the grantee agrees to substitute for the T-rail in such streets, parts of streets or places, the grooved rail above described, if required to do so by the Municipal Board.

“PAR. 6. The gauge of all tracks laid or maintained hereunder shall be four feet eight and one-half inches.

“PAR. 7. The grantee shall in all cases lay and maintain its tracks so as to conform to the grades of the streets, thoroughfares, bridges, and public places along or across which said tracks may be constructed, and whenever such grades shall hereafter be established or altered by the municipal authorities of the city of Manila the grantee shall immediately relay and maintain its tracks to such established grades at its own expense: *Provided*, That if any grade at which any such track is now laid is altered by the said municipal authorities within seven years from the date hereof, the city of Manila shall not only furnish the material to enable the grantee to conform the bed of its tracks to the altered grade, but shall also furnish the material necessary to reconstruct the cement substructure of the track of the grantee at the new grade: *And provided further*, That whenever the grade at which any such track is laid is altered by the said municipal authorities after more than seven years from the date hereof, the city of Manila shall furnish the material to enable the grantee to conform the bed of its tracks to the altered grade, less the cement substructure of the track.

“PAR. 8. The tracks, wires, and other constructions of the grantee shall be supported by and cross all bridges in the manner directed by the municipal authorities.

“PAR. 9. The grantee shall pave and keep in good and permanent repair the surface of the street between its rails and between its tracks and for eighteen inches on each side of its tracks under the supervision of the municipal authorities and in such manner as they shall prescribe:¹ *Provided*, That if the municipality shall order a change of the kind of pavement with which any street or place over which the line of the grantee runs is paved the materials necessary to enable the grantee to change the pavement of so much of the surface of the street as it is hereunder required to keep in good and permanent repair in order to conform to the change ordered by the municipal authorities shall be furnished by the municipal authorities to the grantee.

“PAR. 10. The poles erected by the grantee for the operation of its railroad shall be of such height and shall be so located and painted as the municipal authorities shall direct.² The poles shall not be of such crooked or ungainly appearance as to disfigure the streets.

¹ See sec. 843 of Revised Ordinances.

² See secs. 351-365 of Revised Ordinances.

"PAR. 11. The trolley wires of the grantee may be suspended by span wires or brackets, shall have double insulation, and shall be strung at such heights above the ground as the municipal authorities shall direct.¹ Feeder wires shall be of the insulated type known as 'triple braid weather proof,' and no overhead wire or conductor shall carry a potential greater than five hundred and fifty volts.

"PAR. 12. The grantee shall, at all times, keep its tracks, rolling stock, and other construction in good condition. Two classes of cars or compartments, providing for two classes of passengers, shall be run, and at least sixty per centum of the accommodation furnished shall be second-class cars or compartments. The grantee hereof shall, at all times, furnish cars or compartments of both classes sufficient to satisfy the public demand and to carry comfortably all the members of the public desiring to ride thereon: *Provided*, That after one year of operation the Municipal Board shall have the power, with the concurrence of the grantee of this franchise, to amend this paragraph so as to require that only one class of cars or compartments shall be run, upon which the lower rate of fare shall be charged.

[Above paragraph appears as superseded by sec. 1, Ordinance No. 70, p. 317 hereof.]

"PAR. 13. Every motor car run by the grantee shall be equipped with a fender of a type to be approved by the municipal authorities.²

"PAR. 14. The maximum rate of speed at which the grantee may operate its cars shall be fixed by the municipal authorities.³

"PAR. 15. The fare charged by the grantee shall not exceed six cents, in money of the United States, on first-class car or compartment, or five cents, in money of the United States, on second-class car or compartment, for one continuous ride from one point to another on the street-railway system of the grantee within the city limits, as now or hereafter established, whether or not it be necessary to transfer the passengers from one car or line of the grantee to another during said ride: *Provided always*, That where a change of cars is necessary, there shall be established by the grantee a method of transfers not unreasonably burdensome in its restrictions to the transferred passengers; and, in case of failure to comply with the foregoing requirements as to transfers, it may be enforced upon application of the Municipal Board by mandamus to the proper Court of First Instance or the Supreme Court: *And provided further*, That on lines running outside of the city limits an additional fare or fares may be charged at the rate of five cents, in money of the United States, on first-class cars, or three cents, in money of the United States, on second-class cars, for each two miles, or frac-

¹ See sec. 338 of Revised Ordinances.

² See sec. 382 of Revised Ordinances.

³ See sec. 391 of Revised Ordinances.

tion thereof, beyond the city limits, as now or hereafter established: *And provided further*, That at any time after twenty-five years from the date hereof, upon due notice from the city of Manila to the grantee, the fares charged by the grantee may be adjusted on a reasonable basis by three arbitrators, one to be chosen by the city, one by the grantee, and the third to be selected by the two so chosen, if they can agree, but, if not, then to be selected by the Chief Executive of the Islands. The award of the majority of such arbitrators shall be final.

[Above paragraph appears as superseded by sec. 1, Ordinance No. 70, p. 317 hereof.]

“PAR. 16. Members of the Police and Fire Departments of the city of Manila wearing official badges shall be entitled to ride free upon the cars of the grantee, subject to such reasonable and proper restrictions as may be imposed. The fares charged children under seven years of age and children under sixteen years of age going to and from school shall not exceed half the ordinary rates of fare. Children in arms shall ride free. The grantee shall have the power to establish reasonable regulations for identifying those children going to and from school.

“PAR. 17. Until such time as the fares herein fixed shall be readjusted, the grantee shall place on convenient sale lots of one hundred tickets at the rate of five dollars and fifty cents, in money of the United States, per one hundred, each of which shall be good for one continuous first-class ride on the cars of the grantee within the limits of the city of Manila, and lots of six tickets, at the rate of twenty-four cents, in money of the United States, per six, each of which shall be good for one second-class continuous ride on the cars of the grantee within the city limits: *Provided*, That the grantee may issue such tickets subject to such reasonable restrictions as to the grantee may seem proper.

[Above paragraph appears as superseded by sec. 1, Ordinance No. 70, p. 317 hereof.]

“PAR. 18. [*Repealed by sec. 3, Ordinance No. 70, page 318 hereof.*]

“PAR. 19. The grantees shall be liable to pay the same taxes on its real estate, buildings, plant (not including roadbed and track, rolling stock, poles, and wires), machinery, and personal property as other persons are now, or hereafter by law may be required to pay. The grantee shall further pay to the municipal government of the city of Manila two and a half per cent of the fares collected and tickets sold within the limits of the city of Manila, and the same percentage of fares collected and tickets sold without the said limits to the proper municipality or municipalities of the Province of Rizal. Said percentage shall be due and payable by the grantee monthly, and shall be in lieu of all taxes and assessments of whatsoever

nature, and by whatsoever authority, upon the privileges, earnings, income, franchises, roadbed, track, rolling stock, poles, and wires of the grantee, from which taxes and assessments the grantee is hereby expressly exempted.

"PAR. 20. The grantee shall keep a record of all fares collected and tickets sold, which shall be subject to the inspection of the municipal authorities, who shall audit and approve the accounts of the company at the end of each month before the payment of the percentage tax. The accounts when audited and approved as herein provided shall be final and conclusive evidence of the liability of the company under the provisions of paragraph nineteen.

"PAR. 21. The grantee shall begin the construction of the road within the city of Manila within six months from the date of the granting of the franchise, and shall complete the construction of the road and commence the operation of the same within twenty months after the expiration of said period of six months, unless prevented by an act of God, or the public enemy, usurped or military power, martial law, riot, civil commotion, or inevitable cause, and shall thereafter maintain a first-class street-railway service in every respect. The failure of the grantee to comply with the conditions of this paragraph shall render the franchise in this part described liable to forfeiture.

"PAR. 22. Upon the award of this electric street railway franchise and before the same is finally granted, the grantee shall pay to the Treasurer of the Philippine Archipelago, to the credit of the city of Manila, the sum of one hundred and seventy-five thousand dollars, money of the United States, in securities to be approved by the Civil Governor of the Philippine Islands, as security for the performance of the bid: *Provided*, That the said sum shall be repaid by the said Treasurer to the grantee in the event of the faithful performance by the grantee of all the conditions of this franchise and of all the obligations herein imposed on the grantee, whenever, within the period hereinbefore fixed, three-fourths of the mileage of the road covered by this franchise shall have been constructed. If, however, the grantee shall, within the time required, fail to perform the obligations of his contract, then the city may, by appropriate action, recover the sum so deposited as liquidated damages for the breach. If the deposit of one hundred and seventy-five thousand dollars shall be invested in interest-bearing securities, the interest shall be collected by the Treasurer and shall be turned over to the grantee as it accrues and is collected, until, and unless, the grantee shall fail to perform the obligation of his contract, when the thereafter accruing interest shall be regarded as part of the liquidated damages.

"PAR. 23. The grantee shall hold the city of Manila harmless from all claims, accounts, demands, or actions arising out of accidents or injuries, whether to property or persons, caused by the construction or operation of the road.

*“PAR. 24. All reasonable or proper or necessary changes on the lines or routes of the grantee,¹ or the abandonment of any part of its franchise, or of any street or streets which it may not be desirable or advisable to use, may be made by the grantee, with the approval of the municipal authorities.

[Above paragraph appears as superseded by sec. 1, Ordinance No. 70, p. 317 hereof.]

“PAR. 25. The violation or the infringement by the grantee of any of the conditions or the terms as above set forth in part one hereof shall not subject or render liable to forfeiture the franchise more particularly described in part two hereof.

“PAR. 26. Whenever any franchise or right of way is granted to any other street railway company, now or hereafter in existence, over portions of the lines and tracks of the grantee herein, the terms on which said other company shall use such right of way, and the compensation to be paid to the grantee herein by such other company for said use, shall be fixed by the members of the Supreme Court, sitting as a board of arbitrators, the decision of a majority of whom shall be final.

“PAR. 27. Failure by the grantee to maintain a first-class street-railway service in every respect over any portion of its lines or tracks shall constitute an abandonment of such portion, and the grantee may be required by the city of Manila to remove the lines or tracks so abandoned, or the said city may cause such lines or tracks to be removed at the grantee's expense: *Provided*, That should any part of these lines be abandoned by the company without the consent of the municipal authorities such abandonment may constitute a ground of forfeiture of the entire street railway franchise herein conferred.

“PAR. 28. At any time after twenty-five years from the date hereof, the city of Manila may purchase, and the grantee shall sell to the city of Manila, all of its franchises, lines, tracks, cars, real estate, buildings, plant, rights, and other property used by it in the operation of a street railway in the city of Manila and on the line to Malabon, at a valuation based upon the net earnings of the grantee, the valuation to be determined, after hearing evidence, by the Supreme Court of the Islands, sitting as a board of arbitrators, whose decision, by a majority of the members thereof, shall be final.

[Above paragraph appears as superseded by sec. 1, Ordinance No. 70, p. 317 hereof.]

“PART TWO.

“PART. 1. The grantee shall have the further right and privilege, subject to the laws and ordinances now or hereafter in force, not

¹ For changes authorized by the Municipal Board see Ordinances Nos. 71 and 73, pp. 319, 320 hereof.

inconsistent herewith, of erecting, extending, and maintaining* in and along the streets, thoroughfares, bridges, and public places of the city of Manila and its suburbs the necessary poles, wires, cutouts, transformers, and other appurtenances and overhead structures for the conducting and distributing of electric currents for light, heat, and power, and the furnishing and selling the same to any person, corporation, or public authority: *Provided*, That such electric current for the furnishing of light, heat, and power shall be furnished under regulations of the Municipal Board to any person within the corporate limits of the city, residing or doing business within such distance from the main lines conveying such current as the Municipal Board shall decide to be reasonable: *And provided further*, That the Municipal Board may require the extension of the main lines of current in any direction within the city limits in its discretion.

“PAR. 2. The Municipal Board, with the approval of the Advisory Board and the Commission, shall have authority to fix, from time to time, by ordinance, the prices¹ at which such current shall be furnished to private persons or corporations within the limits of the city of Manila, as now or hereafter established, and to the city and the Insular Government: *Provided always*, That the prices so fixed shall be reasonable; and, in case the Municipal Board shall disagree with the Advisory Board as to reasonable rates, then the Commission shall fix such rates.

[Above paragraph appears as amended by sec. 1, Ordinance No. 70, p. 317 hereof.]

“PAR. 3. All poles erected by the grantee shall be of such height and shall be so located and painted as the municipal authorities shall direct.² The poles shall not be of such crooked or ungainly appearance as to disfigure the streets.

“PAR. 4. All the wires of the grantee shall have double insulation and shall be strung at such heights above the ground as the municipal authorities shall direct.³ Feeder wires shall be of the insulated type known as ‘triple braid weather proof.’

“PAR. 5. The system used by the grantee shall be that known as the ‘alternating current system’: *Provided*, That where it is desired to furnish heat, power, or arc lighting, direct currents may be used: *And provided further*, That in the carrying of currents, stringing of wires, insulation, and in all other respects, the grantee shall comply with the rules and regulations adopted or hereafter to be adopted by the National Board of Underwriters of the United States for the safeguarding of the conduct and use of electric currents in cities.

“PAR. 6. The plant and system of the grantee shall be erected, extended, and maintained according to the best and most approved

¹ See sec. 375 of Revised Ordinances.

² See secs. 351–365 of Revised Ordinances.

³ See sec. 338 of Revised Ordinances.

type of modern electric light, heat, and power plants and systems, and shall conform in all respects to the laws and ordinances now or hereafter in force, not inconsistent herewith.¹

“PAR. 7. The grantee shall begin the construction of the system within the city of Manila within six months from the date of the granting of the franchise, and shall complete the construction of so much of the system as shall be coextensive with the lines of the street railway to be constructed under Part One hereof, and commence the operation of the same within twenty months thereafter, unless prevented by act of God, or the public enemy, usurped or military power, martial law, riot, civil commotion, or inevitable cause. The failure of the grantee to comply with the conditions of this paragraph shall render the franchise in this part described liable to forfeiture.

“PAR. 8. The city of Manila shall have the privilege, without compensation, of using the poles of the grantee for the purpose of installing, maintaining, and operating a fire and police telegraph system.

“PAR. 9. The grantee shall be liable to pay the same taxes upon its real estate, buildings, plant (not including poles, wires, transformers, and insulators), machinery, and personal property as other persons are or may be hereafter required by law to pay. In consideration of Part Two of the franchise herein granted, to wit, the right to build and maintain in the city of Manila and its suburbs a plant for the conveying and furnishing of electric current for light, heat, and power, and to charge for the same, the grantee shall pay to the city of Manila two and one-half per centum of the gross earnings received from its business under this franchise in the city and its suburbs: *Provided*, That two and one-half per centum of the gross earnings received from the business of the line to Malabon shall be paid to the Province of Rizal. Said percentage shall be due and payable at the time stated in paragraph nineteen of Part One hereof, and after an audit, like that provided in paragraph twenty of Part One hereof, and shall be in lieu of all taxes and assessments of whatsoever nature, and by whatsoever authority upon the privileges, earnings, income, franchise, and poles, wires, transformers, and insulators of the grantee, from which taxes and assessments the grantee is hereby expressly exempted.

[Above paragraph appears as superseded by sec. 1, Ordinance No. 70, p. 317 hereof.]

“PAR. 10. The violation or infringement by the grantee of any of the conditions or terms as above set forth in Part Two hereof shall not subject or render liable to forfeiture the franchise more particularly described in Part One.

¹ See especially title 6 of Revised Ordinances.

"PAR. 11. Of the deposit of one hundred and seventy-five thousand dollars of securities required in paragraph twenty-two of the first franchise, twenty-five thousand dollars shall be held by the Treasurer of the Philippine Archipelago for the benefit of the city of Manila, to secure compliance with the second franchise herein granted, on the same terms as those contained in paragraph twenty-two above.

"PART THREE.

"GENERAL PROVISIONS APPLYING TO BOTH FRANCHISES.

"PAR. 1. The franchises here granted shall be subject to amendment, alteration, or repeal by the Congress of the United States, and the right to use and occupy the streets and other public lands herein granted shall revert to the city of Manila, the provincial government of Rizal, or to the Insular Government, as the case may be, upon the termination of these franchises by forfeiture, repeal, or expiration in due course.

"PAR. 2. It shall be a condition of the enjoyment of these franchises that the person or persons to whom they may be originally granted, under the provisions of this Act, shall, before April first, nineteen hundred and three, form a corporation under the laws of the Philippine Islands, hereafter to be passed, or under the laws of the United States or of any State thereof and whose charter shall comply with the laws prevailing in these Islands, to take over these franchises and to perform the terms thereof to be performed by the grantee thereof, in which no stock shall be issued or bonds sold except in exchange for actual cash or for property at a fair valuation equal to the par value of the stocks or bonds so issued or sold, and in which no stock or bond dividends shall be declared.

"PAR. 3. The books and accounts of such corporation shall be subject to official inspection by the municipal authorities and by the Auditor for the Archipelago or his authorized deputies.

"PAR. 4. It shall not be lawful for the grantee of these franchises, or any vendee thereof, to use, employ, or contract for the labor of persons claimed or alleged to be held in involuntary servitude.

"PAR. 5. The corporation to be formed by the persons originally receiving the grant for the purpose of maintaining and operating these franchises under the laws of the Philippine Islands shall not have power to alienate the same except by consent of the municipal authorities and the approval of the Civil Governor."

SEC. 2. This ordinance shall take effect and be in force on and after the twenty-fourth day of March, nineteen hundred and three.

Enacted, March 24, 1903.

**AMENDMENTS OF THE FRANCHISES OF THE MANILA ELECTRIC
RAILROAD AND LIGHT COMPANY.**

Ordinance No. 70.—An ordinance amending Ordinance Numbered Forty-four of the Municipal Board, enacted March twenty-fourth, nineteen hundred and four, entitled “An Ordinance granting to Charles M. Swift a franchise to construct an electric street railway on the streets of Manila and its suburbs, and a franchise to construct, maintain, and operate an electric light, heat, and power system in the city of Manila and its suburbs.”

Whereas by Act Numbered Eleven hundred and twelve of the United States Philippine Commission, enacted April eleventh, nineteen hundred and four, the Municipal Board of the city of Manila was directed to make certain amendments to Ordinance Numbered Forty-four, said amendments to be enacted upon the filing, by the Manila Electric Railroad and Light Company with the Executive Secretary of the Philippine Islands, of its acceptance in writing of the terms of Act Numbered Eleven hundred and twelve, and the surrender in writing by proper corporate action, to the Government of the Philippine Islands, of the franchises, and all amendments thereto, of the *Compañía de los Tranvías de Filipinas*; and

Whereas said acceptance and surrender were duly filed by said companies on the twenty-first day of November, nineteen hundred and four: Now, therefore,

Be it ordained by the Municipal Board of the city of Manila, that:

SECTION 1. Paragraphs two, three, twelve, fifteen, seventeen, twenty-four, and twenty-eight of Part One, and paragraphs two and nine of Part Two of Ordinance Numbered Forty-four, enacted by the Municipal Board of the city of Manila in pursuance of Act Numbered Four hundred and eighty-four of the Philippine Commission, entitled “An Act providing for the granting of a franchise to construct an electric street railway on the streets of Manila and its suburbs, and a franchise to construct, maintain, and operate an electric light, heat, and power system in the city of Manila and its suburbs,” are hereby amended to read as follows:

[Above section supersedes paragraphs 2, 3, 12, 15, 17, 24, and 28 of Part I, and paragraphs 2 and 9 of Part II, sec. 1, Ordinance No. 44, p. 303 hereof, which see.]

SEC. 2. A new paragraph to be known as paragraph two (*a*) is hereby inserted between paragraph two and paragraph three of Part

One of said Ordinance Numbered Forty-four, which said paragraph two (*a*) reads as follows:

[Inserted as paragraph 2 (*a*) in sec. 1, Ordinance No. 44, p. 307 hereof, which see.]

SEC. 3. Paragraph eighteen of Part One of said Ordinance Numbered Forty-four is hereby repealed.

SEC. 4. The franchise over the streets in subparagraph (*m*) of paragraph two of Part One named shall become operative whenever such of said streets as are not now open shall be constructed in pursuance of section eight of Act Numbered Eleven hundred and twelve.

SEC. 5. Immediately upon the completion and opening of the streets not now open, designated in subparagraph (*m*) of paragraph two of Part One of said Ordinance Numbered Forty-four as herein amended, the Manila Electric Railroad and Light Company shall commence the construction of the line authorized in said subparagraph (*m*) of paragraph two of Part One and pursue the construction of said line diligently to its completion.

SEC. 6. The Manila Electric Railroad and Light Company shall remove all tracks, switches, and other obstructions of whatsoever character heretofore placed in the streets of the city of Manila by the Compañía de los Tranvías de Filipinas, and restore all streets, or parts of streets, occupied by the same, to a good and passable condition to the satisfaction of the City Engineer.

SEC. 7. This Ordinance shall take effect and be in force on and after the twenty-seventh day of December, nineteen hundred and four.

Enacted, December 27, 1904.

**CHANGES IN THE LINES OF THE MANILA ELECTRIC RAILROAD AND
LIGHT COMPANY.**

Ordinance No. 71.—An ordinance approving of certain changes in the lines of the Manila Electric Railroad and Light Company.

Whereas by paragraph twenty-four of section one of Ordinance Numbered Forty-four of the Municipal Board, as amended by Ordinance Numbered Seventy of the Municipal Board,¹ it is provided that all reasonable or proper or necessary changes on the lines or routes of said company may be made with the approval of the municipal authorities; and

Whereas certain changes have been suggested by said company and have been found to be reasonable and proper changes by said municipal authorities: Therefore,

Be it ordained by the Municipal Board of the city of Manila, that:

SECTION 1. The following changes in the railway lines of the Manila Electric Railroad and Light Company are hereby approved:

(a) To extend what is known as the Santa Mesa line from its present terminus at Santa Mesa along the street or road leading to the San Juan Bridge as far as said bridge, with the right to establish a loop at the proposed terminus.

(b) To extend what is known as the Calle Cervantes line from its present terminus (the road leading to the San Lazaro race track) along Calle Cervantes to the road leading to the Chinese Cemetery and Chinese Hospital to a point a short distance beyond the Chinese Hospital, with the right to establish a loop at the terminus.

(c) To lay a single track from the line of said company at the intersection of Calle Madrid and Calle de Jaboneros, along Calle Jaboneros to Calle Peñaranda, thence along Calle Peñaranda to the intersection with the line on Calle San Fernando.

(d) To lay such tracks as may be necessary from the intersection of Calle San Marcelino and Calle Zobel, along Calle Zobel to the property of the Manila Electric Railroad and Light Company facing on Calle Zobel.

SEC. 2. This Ordinance shall take effect and be in force on and after the twenty-seventh day of December, nineteen hundred and four.

Enacted, December 27, 1904.

¹ See p. 303 hereof.

Ordinance No. 73.—An ordinance approving of certain changes in the lines of the Manila Electric Railroad and Light Company.

Whereas, by paragraph twenty-four of section one of Ordinance Numbered Forty-four of the Municipal Board, as amended by Ordinance Numbered Seventy of the Municipal Board,¹ it is provided that all reasonable or proper or necessary changes in the lines or routes of the Manila Electric Railroad and Light Company may be made with the approval of the municipal authorities; and

Whereas the following change has been suggested by said company and has been found to be reasonable and proper by said municipal authorities: Therefore,

Be it ordained by the Municipal Board of the city of Manila, that:

SECTION 1. The following change in the railway lines of the Manila Electric Railroad and Light Company is hereby approved:

The connection of the line on Calle Lemery with the line on Calle Sande, by the construction of a single track through Calle Corcuera.

SEC. 2. This ordinance shall take effect and be in force on and after the tenth day of March, nineteen hundred and five.

Enacted, March 10, 1905.

¹ See p. 303 hereof.

**THE LICENSE OF THE EASTERN EXTENSION AUSTRALASIA AND
CHINA TELEGRAPH COMPANY, LIMITED, AND THE COMMERCIAL
CABLE COMPANY.**

Ordinance No. 52.—An ordinance granting a license to the Eastern Extension Australasia and China Telegraph Company, Limited, and the Commercial Pacific Cable Company to lay an underground cable on certain streets of the city of Manila, and providing the conditions under which the right may be exercised.

Be it ordained by the Municipal Board of the city of Manila, that:

SECTION 1. Permission is hereby granted to the Eastern Extension Australasia and China Telegraph Company, Limited, a corporation, and the Commercial Pacific Cable Company, a corporation, to lay underground cables connecting the respective cable stations of said corporations in the district of Malate with the building known as the Hongkong and Shanghai Banking Corporation building, and situate on the southwest corner of Calle San Miguel, along the following streets, to wit:

Along Calle Cabañas, district of Malate, to Calle Real, in the same district; along the west side of Calle Real through the districts of Malate and Ermita to Calle Bagumbayan; along the west side of Calle Bagumbayan to the north side of the Calzada de las Aguadas: thence along the north side of the Calzada de las Aguadas to the west side of the south approach to the Bridge of Spain; thence along the Bridge of Spain to the Muelle del Rey; thence along the Muelle del Rey to Calle Carnero; thence to the entrance to the offices of the cable companies in the aforesaid Hongkong and Shanghai Banking Corporation building; upon the terms and conditions mentioned in the following sections.

SEC. 2. The cables which said corporations are hereby permitted to lay underground along said streets shall be laid in the same trench, at a depth of at least two and a half feet, and at a distance of about three feet from the sidewalks of the respective streets herein named, as the same are at present established, and both cables of said corporations shall be laid in the same trench at the same time.

SEC. 3. Junction boxes may be installed at all bends and corners and every four hundred feet of the route traversed, or at such distances as such corporations may desire: *Provided*, That said junction boxes shall at all times be covered with at least six inches of the same material as that of the street wherein they are located.

SEC. 4. The cables herein referred to will be laid across or under or along the side of the Bridge of Spain, in the manner approved by the city engineer.

SEC. 5. The city engineer is hereby authorized to permit such changes in the route of said cables as may be mutually agreed upon between said corporations and the city engineer.

SEC. 6. The parts of the streets herein referred to in which such trench shall be constructed and which may be torn up for said purposes, shall be repaired, and the paving and the condition of the street restored by said corporations to the satisfaction of the city engineer, and any subsidence, injury, or damage to any street, public or private property, which may result from the construction or maintenance of said conduit or cables, shall be repaired or compensated for by said concessioners.

SEC. 7. In constructing the trench hereinbefore referred to, said concessioners shall not tear up at any one time more of the street in which said cables are laid than that between any two consecutive junction boxes, unless authorized by the city engineer to tear up other parts, and the city engineer is hereby given authority to designate from time to time the number of feet of paving over and above the distances between any two consecutive junction boxes that said corporation may tear up at one time along the street hereinbefore referred to.

SEC. 8. Said corporations shall, whenever necessary, or whenever thereto required by the city engineer, construct temporary crossings over the trenches dug by them in the streets in which said cables are laid.

SEC. 9. In consideration of the permission to it herein granted, the Eastern Extension Australasia and China Telegraph Company, Limited, shall, within two years after the completion of the underground cable lines hereinbefore referred to, remove the overhead wires, fixtures, and poles of its present overhead telegraph line, running from its cable station in Malate to the said Hongkong and Shanghai Banking Corporation building and Calle Carnero.

SEC. 10. The permission hereby granted is to the concessioners named herein jointly, and as a consideration therefor each company binds itself individually to the performance of all the conditions herein contained, and each of the concessioners herein named agrees to execute a bond to the city of Manila in the penal sum of one thousand dollars, United States currency, with sureties which shall be satisfactory to the Municipal Board of the city of Manila, conditioned upon the faithful observance of the conditions of this license.

SEC. 11. The concessioners shall fully indemnify and save harmless the city of Manila from any and all claims and damages for

which said city may be or become liable to pay by reason of the construction, making, or operation of said conduit or cables, or the giving or allowing of the license hereby granted.

SEC. 12. The permission hereby granted is a mere license, and the Municipal Board expressly reserves the right to amend or repeal this Ordinance.

SEC. 13. This Ordinance shall take effect and be in force from and after the filing and acceptance of the bonds provided for in section ten hereof.

Enacted, July 29, 1903.

APPENDIX.

APPENDIX A.

TABLE OF FEES AND CHARGES.

Building permits.

Kind of building.	Fee.
BUILDINGS OF STRONG MATERIALS.	
(a) For the construction of a new building or the addition of a story, or an addition to a building already constructed up to one hundred square meters in plan, for each floor	P7. 50
(b) For each square meter in plan in excess of the above, for each floor	. 10
(c) For construction of roof	5. 00
(d) For alterations or repairs to an existing building not exceeding fifty pesos in value	. 50
(e) For repairs to an existing building exceeding fifty pesos in value, for each floor	5. 00
(f) For repairs to the wall or front of a building, or the construction of the same, per linear meter	. 30
(g) For the construction of a secondary building not exceeding fifty square meters in area	1. 50
(h) For each square meter in plan in excess of the above	. 03
BUILDINGS OF LIGHT MATERIALS.	
(a) For the construction of a building up to fifty square meters in area	1. 00
(b) For the construction of a building from fifty square meters to one hundred square meters in area	2. 00
(c) For the construction of a building over one hundred square meters in area	3. 00
(d) For material repairs, additions, or alterations up to fifty square meters in area	. 50
(e) For material repairs, additions, or alterations, from fifty to one hundred square meters in area	1. 00
(f) For material repairs, additions, or alterations over one hundred square meters in area	1. 50
BUILDINGS OF MIXED MATERIALS.	
(a) For the construction of a building up to fifty square meters in area:	
For one floor	3. 00
For two floors	5. 00
(b) For the construction of a building from fifty to one hundred square meters in area:	
For one floor	4. 00
For two floors	6. 00

Building permits—Continued.

Kind of building.	Fee.
BUILDINGS OF MIXED MATERIALS—continued.	
(c) For the construction of a building over one hundred square meters in area:	
For one floor	P6. 00
For two floors	10. 00
(d) For material repairs, additions, or alterations up to fifty square meters in area	1. 00
(e) For material repairs, additions, or alterations from fifty to one hundred square meters in area	2. 00
(f) For material repairs, additions, or alterations over one hundred square meters in area	3. 00
MISCELLANEOUS.	
(a) For the erection of any sign or billboard	2. 50
(b) For the inspection of a passenger or freight elevator	10. 00
(c) For moving or raising any building, in addition to the other fees for permits:	
For a strong-material building	5. 00
For a mixed-material building	3. 00
For a light-material building	1. 00
(d) For the use of a public street as provided in section eight hundred and twenty four hereof:	
For a distance, measured in the street, not greater than twenty meters, for each calendar month	5. 00
For a distance greater than twenty meters, for each calendar month	7. 50

Establishing street lines and grades.

Kind of lot.	Fee.
(a) For an inside lot, per linear meter of line	P0. 40
(b) For a corner lot, per linear meter of line .....	. 30
(c) For a lot with three frontages on public streets, per linear meter .....	. 25
(d) For a lot with frontages on all sides upon public streets, per linear meter .....	. 20
(The minimum fee charged in any case shall be five pesos. In case the stakes marking line and grade be lost, fees in conformity with this schedule shall be charged for each additional marking.)	

Bureau of Health fees.

For what purpose.	Fee.
Permit:	
Burial	P0.50
Disinterment	1.00
Transporting a body into or out of the city	1.00
Niche in Paco Cemetery, adult, five years	33.00
Extension of one year or fraction (adult)	6.60
Child, five years	16.00
Extension of one year or fraction (child)	3.20
Transcript of record, five years or less	1.00
More than five years	2.00

Cementerio del Norte.

For what purpose.			Rates.
Plots for graves, tombs, mausoleums, etc., per square meter:			
Less than 4.5 meters above sea level			P4.00
4.5 meters or more above sea level			9.00
Single graves in perpetuity, according to dimensions, per grave:			
Length.	Breadth.	Area.	
<i>Meters.</i>	<i>Meter.</i>	<i>Sq. meters.</i>	
2.00	1.00	2.00	8.00
1.40	.80	1.12	5.00
.80	.60	.48	2.00
Niches in perpetuity, per niche:			
Length.	Breadth.	Area.	
<i>Meters.</i>	<i>Meter.</i>	<i>Sq. meters.</i>	
2.30	0.90	2.07	52.00
1.70	.70	1.19	30.00
1.10	.50	.55	14.00
For use of chapel:			
First half hour .....			.00
Each quarter hour after first half			2.50
For deposit of a body, in its urn or case, per day			2.50
For services for disinterment of a body			5.00

Electrical inspection and test.

For what purpose.	Fee.
FOR INSPECTION AND TEST—	
(a) Of installation of any number of incandescent lamps -----	P1. 00
Additional for each lamp -----	.10
(b) Of each telephone apparatus -----	1. 00
(c) Of each dynamo switch board -----	2. 00
(d) Of each motor and its controlling apparatus of one-fourth horsepower or less -----	.50
(e) Of each motor and its controlling apparatus of more than one-fourth horsepower -----	2. 00
(f) Of electric heating apparatus -----	1. 00
(g) Of each electric meter if tested -----	2. 00
(h) Of each installation of bells and annunciators if in building with other electric wiring -----	2. 00
(i) Of each arc light -----	2. 00
(j) Of each electric dynamo -----	2. 00
(k) Of each electric fan -----	.50

Municipal Board fees.

Copies of city records.	Fee.
Each one hundred words of copy or fraction thereof -----	P0. 50
Each certificate to a copy -----	2. 00

Pound fees.

For what purpose.	Fee.
For each animal impounded, except dogs -----	P4. 00
For each day or part of day for sustenance and care -----	1. 00
For each dog impounded -----	3. 00

Water rates.

Quantities.	Rates.
First three hundred cubic meters, per cubic meter -----	P0. 05
Any quantity above three hundred cubic meters, per cubic meter -----	.04

Municipal licenses, alphabetically arranged.

Kind of business.	Fee.	Period.
Acrobats. (<i>See</i> Fortune tellers.)		
Agencies:		
Advertising, bill posting, street advertising	P40. 00	1 year.
Collecting and mercantile -----	100. 00	1 year.
Detectives -----	50. 00	1 year.
Auctioneers -----	100. 00	1 year.
Automobiles -----	8. 00	1 year.
Barbers:		
For location and one chair, of whatever kind -----	3. 00	1 year.
For each additional ordinary chair -----	1. 00	1 year.
For each additional mechanical chair -----	3. 00	1 year.
Itinerant -----	2. 00	1 year.
Bill posting. (<i>See</i> Agencies.)		
Boarding houses:		
Class A accommodations for 10 or more boarders -----	20. 00	1 year.
Class B accommodations for less than 10 boarders -----	10. 00	1 year.
Boarding stables:		
For location and accommodation for 3 animals or less -----	10. 00	1 year.
For each animal in excess of 3 -----	2. 00	1 year.
Bowling alleys, for each alley -----	20. 00	1 year.
Cafés. (<i>See</i> Restaurants.)		
Carinderias. (<i>See</i> Restaurants.)		
Carts. (<i>See</i> Vehicles.)		
Carriages. (<i>See</i> Vehicles.)		
Circus. (<i>See</i> Parades.)		
Cleaning and dyeing establishments. (<i>See</i> Laundries.)		
Clubs:		
Class A, clubs furnishing lodging, food, and alcoholic or intoxicating drinks to their members -----	100. 00	1 year.
Class B, clubs furnishing alcoholic or intoxicating drinks but not food or lodging to their members -----	80. 00	1 year.
Class C, clubs not furnishing either lodging, food, or alcoholic or intoxicating drinks to their members -----	10. 00	1 year.
Collecting agencies. (<i>See</i> Agencies.)		
Combustibles and explosives, establishments for storage and sale of -----	10. 00	1 year.
Dance halls, when admission, entrance, or other fee is charged -----	3. 00	1 day.
Dancing schools, when admission, entrance, or other fee is charged -----	3. 00	1 day.
Detective agencies. (<i>See</i> Agencies.)		
Dogs, over three months' old:		
Male -----	4. 00	1 year.
Female -----	6. 00	1 year.
Dyeing and cleaning establishments. (<i>See</i> Laundries.)		
Embalmers -----	50. 00	1 year.
Employment bureaus. (<i>See</i> Intelligence office.)		

Municipal licenses, alphabetically arranged—Continued.

Kind of business.	Fee.	Period.
Explosives. (<i>See Combustibles.</i>)		
Fortune tellers, jugglers, and acrobats -----	₱5.00	1 quarter.
Galleries, shooting -----	20.00	1 year.
Hawkers, peddlers, and hucksters -----	3.00	1 quarter.
Hotels:		
Class A, having accommodations for 20 or more guests -----	50.00	1 year.
Class B, having accommodations for less than 20 guests -----	25.00	1 year.
Horse racing. (<i>See Race tracks.</i>)		
Hucksters. (<i>See Hawkers.</i>)		
Intelligence and shipping office -----	40.00	1 year.
Jugglers. (<i>See Fortune tellers.</i>)		
Junk shops -----	10.00	1 year.
Laundries -----	20.00	1 year.
Livery stables:		
For location including 2 vehicles -----	25.00	1 year.
For each vehicle in excess of 2 -----	3.00	1 year.
For each saddle horse -----	2.00	1 year.
Lodging houses:		
Class A, having accommodations for 10 or more lodgers -----	20.00	1 year.
Class B, having accommodations for less than 10 lodgers -----	10.00	1 year.
Menageries. (<i>See Parades.</i>)		
Mercantile agencies. (<i>See Agencies.</i>)		
Merry-go-rounds -----	10.00	1 month.
Parades, circus, menagerie, or similar -----	10.00	Daily.
Peddlers. (<i>See Hawkers.</i>)		
Plumbers -----	20.00	1 year.
Race tracks -----	200.00	1 year.
For each day of racing -----	10.00	Daily.
Restaurants and cafés:		
Class A, with seating capacity for 20 or more persons -----	30.00	1 year.
Class B, with seating capacity for less than 20 persons -----	15.00	1 year.
Class C, public eating houses, or carinderias -----	5.00	1 year.
Shipping office. (<i>See Intelligence office.</i>)		
Shooting galleries. (<i>See Galleries.</i>)		
Slot machines -----	5.00	1 year.
Tattooers -----	10.00	1 year.
Vehicles, public:		
For a 4-wheeled carriage drawn by 2 horses or other animals -----	8.00	1 year.
For a 4-wheeled carriage drawn by 1 horse or other animal -----	6.00	1 year.
For a 2-wheeled carriage, drawn by 1 horse or other animal -----	5.00	1 year.
For a cart drawn by 2 horses or other animals -----	4.00	1 year.
For a cart drawn by 1 horse or other animal -----	3.00	1 year.
Warehouses, public -----	30.00	1 year.

Municipal business permits, alphabetically arranged.

Kind of business.	Fee.	Period.
Billard or pool tables, each table -----	₧2. 00	1 year.
Bones and feathers, storage of -----	10. 00	1 year.
Bones, stone, and shells, crushing, grinding, or burning of -----	10. 00	1 year.
Brick, manufacturing -----	10. 00	1 year.
Charcoal, manufacturing -----	10. 00	1 year.
Drink. (<i>See Food and drink.</i>) -----		
Dyeing or lye making or soap making -----	10. 00	1 year.
Electrical installation, contractors for -----	10. 00	1 year.
Fat, tallow, or lard boiling -----	10. 00	1 year.
Feathers and bones, storing -----	10. 00	1 year.
Fertilizer, manufacturing -----	10. 00	1 year.
Ferries, each boat, banca, or other craft -----	2. 00	1 year.
Fish, drying or curing -----	10. 00	1 year.
Food and drink, sale of -----	3. 00	1 year.
Foundries -----	10. 00	1 year.
Fruits, canning or preserving -----	10. 00	1 year.
Glue, manufacturing -----	10. 00	1 year.
Hides or skins, tanning or dressing -----	10. 00	1 year.
Lampblack, manufacturing -----	10. 00	1 year.
Lard. (<i>See Fat.</i>) -----		
Lime, manufacturing -----	10. 00	1 year.
Lye making. (<i>See Dyeing.</i>) -----		
Matches, manufacturing -----	10. 00	1 year.
Oil or varnish. (<i>See Varnish.</i>) -----		
Pawnbrokers -----	10. 00	1 year.
Pool tables. (<i>See Billards.</i>) -----		
Pottery, manufacturing -----	10. 00	1 year.
Second-hand dealers -----	10. 00	1 year.
Shells. (<i>See Bones.</i>) -----		
Skins. (<i>See Hides.</i>) -----		
Soap making. (<i>See Dyeing.</i>) -----		
Stock yards -----	10. 00	1 year.
Stones. (<i>See Bones.</i>) -----		
Sugar, boiling or refining -----	10. 00	1 year.
Tallow. (<i>See Fat.</i>) -----		
Tar, manufacturing -----	10. 00	1 year.
Theaters -----	5. 00	1 year.
Turpentine, manufacturing -----	10. 00	1 year.
Varnish, manufacturing or boiling -----	10. 00	1 year.
Any offensive business not named above -----	10. 00	1 year.

Municipal liquor licenses, alphabetically arranged.

Kind of license.	Fee.	Period.
Bar:		
First class -----	P 600. 00	6 months.
Second class -----	350. 00	6 months.
Brewers -----	1, 200. 00	1 year.
Distillers -----	600. 00	1 year.
Druggist's liquor -----	100. 00	1 year.
Grocery liquor -----	100. 00	1 year.
Hotel liquor:		
First class -----	250. 00	6 months.
Second class -----	150. 00	6 months.
Native wine -----	5. 00	6 months.
Restaurant liquor:		
First class -----	250. 00	6 months.
Second class -----	150. 00	6 months.
Theater bar -----	800. 00	6 months.
Theater bar, weekly -----	50. 00	1 week.
Wholesale:		
First class -----	1, 200. 00	1 year.
Second class -----	600. 00	1 year.
Third class -----	52. 00	1 year.

APPENDIX B. REFERENCE TABLE TO THE REVISED ORDINANCES OF THE CITY OF MANILA.

[From sections of original ordinances to sections of Revised Ordinances.]

Original ordinances.		Revised Ordinances, section.	Original ordinances.		Revised Ordinances, section.
Number.	Section.		Number.	Section.	
7 P. M. G. ^a	9	630	11 P. M. G.	32	646
	10	638		33	650
	13	661		34	650
11 P. M. G.	1	815		35	816
	2	836		36	817
	4	838		37	818
	5	857		38	819
	6	839		39	820
	7	840		40	821
	8	841		41	822
	9	842		44	924
	10	864		45	843
	11	831		47	823
	13	866	1	1	3
	14	867		1	8
	15	863		5	11
	16	862	2	1	621
	17	636		2	622
	19	637		3	623
	20	29		4	624
	21	868		5	625
	22	860	13	1	837
	23	859		2	865
	24	847	14	1	9
	25	848	19	1	644
	26	849		2	645
	27	850	27	1	620
	28	852	28	1	628
	29	853		2	619
	30	854		3	635
	31	856		4	642

^a “P. M. G.” defined.—The abbreviation “P. M. G.” stands for “Provost Marshal General” and means that the ordinance was promulgated by order of the Provost Marshal General; ordinances without this abbreviation have been enacted by the Municipal Board.

Original ordinances.		Revised Ordinances, section.	Original ordinances.		Revised Ordinances, section.
Number.	Section.		Number.	Section.	
28	5	643	68	19	333
33	1	431		20	334
34	1	624		21	335
37	1	928		22	322
	2	929		23	324
40	1	414		24	325
	6	419		25	326
43	1	639		26	323
46	1	248		26	327
	1	249		27	328
	1	250		29	337
	1	251		30	338
	1	252		31	339
	1	253		32	340
	1	254		33	341
	1	256		34	342
	1	257		35	343
	1	258		36	344
	1	259		37	345
	1	260		38	346
	1	657		39	347
	1	658		40	348
	1	659		41	349
	1	662		42	350
53	1	118		43	351
58	1	175		44	352
	2	176		45	353
	4	177		46	354
61	1	261		47	355
	1	660		48	356
63	1	632		49	357
	2	633		50	358
	3	634		51	359
68	1	315		52	360
	2	316		52	361
	2	317		53	360
	2	318		54	362
	2	319		55	363
	4	320		56	364
	5	321		57	365
	5	373		58	365
	6	378		59	366
	7	379		60	367
	8	648		61	368
	9	374		62	369
	10	375		63	370
	11	376		64	371
	12	377		65	372
	14	434	69	1	290
	15	329		2	291
	16	330		3	292
	17	331		4	293
	18	332		5	294

Original ordinances.		Revised Ordinances, section.	Original ordinances.		Revised Ordinances, section.
Number.	Section.		Number.	Section.	
69	6	295	78	31	67
	7	296		32	68
	8	297		33	69
	9	298		34	70
	11	652		35	71
	13	299		36	72
	14	300		37	73
	15	301		38	76
	16	302		39	75
	17	303		40	74
	18	304		41	77
	19	305		42	78
	20	306		43	79
	21	307		44	80
	22	308		45	81
	23	309		46	82
	24	310		47	83
	25	311		48	84
	26	312		49	85
	27	313		50	86
	28	314		51	87
75	1	309		52	88
	2	311		53	31
78	1	37		54	89
	2	38		55	93
	3	39		56	94
	4	40		57	95
	5	41		58	96
	6	42		59	97
	7	43		60	98
	8	44		61	99
	9	45		62	100
	10	46		63	101
	11	47		64	102
	12	48		65	104
	13	49		66	107
	14	50		67	103
	15	51		68	830
	16	52		69	33
	17	53		70	34
	18	54		71	109
	19	55		72	108
	20	56		73	120
	21	57		74	110
	22	58		75	834
	23	59		76	111
	24	60		77	112
	25	61		78	113
	26	62		79	121
	27	63		80	122
	28	64		80	123
	29	65		81	124
	30	66		82	125

Original ordinances.		Revised Ordinances, section.	Original ordinances.		Revised Ordinances, section.
Number.	Section.		Number.	Section.	
78	83	240	78	138	174
	84	241		139	227
	86	115		140	228
	88	116		141	229
	90	32		143	230
	91	432		144	232
	92	433		145	233
	93	126		146	234
	94	127		147	235
	95	128		150	420
	96	129		151	421
	97	130		152	422
	98	131		153	423
	99	132		154	424
	100	133		155	703
	101	134		156	413
	102	135		156 (b)	418
	103	136		157	427
	104	137		158	119
	105	138		159	824
	106	139		160	825
	107	140		161	826
	108	141		162	827
	109	142		163	828
	110	143		164	829
	110	144		165	242
	111	145		166	243
	112	146		167	244
	113	147		168	246
	114	148		169	247
	115	149		170	245
	117	151		Art. 2	36
	118	152		Art. 3	35
	119	153		1	255
	120	154		1	651
	121	155	79	1	380
	121	156	80	2	407
	122	157	81	3	381
	123	158		4	405
	124	159		5	395
	125	160		6	396
	126	161		7	394
	127	162		8	397
	128	163		9	401
	129	164		10	382
	129	165		11	383
	130	166		12	384
	131	167		13	385
	132	168		14	640
	133	169		15	641
	134	170		16	845
	135	171		17	846
	137	173		18	399

Original ordinances.		Revised Ordinances, section.	Original ordinances.		Revised Ordinances, section.
Number.	Section.		Number.	Section.	
81	18	409	86	28	191
	19	400		29	192
	20	390		30	193
	21	844		31	194
	22	386		32	195
	23	387		33	196
	24	388		34	197
	25	389		35	198
	26	402		36	199
	27	406		37	200
	28	404		38	201
	29	391		39	202
	30	398		40	203
	31	392		41	204
	32	393		42	205
	33	410		43	206
	34	411		44	206
	35	412		45	207
	36	403		46	208
	37	408		47	209
82	1	46		48	210
	2	108		49	211
	3	117		49	212
	4	150		49	213
86	1	663		49	214
	2	664		50	215
	3	665		51	216
	4	666		51	217
	5	667		52	218
	6	668		53	219
	7	669		54	220
	8	105		55	221
	9	670		55	222
	10	671		56	223
	11	696		57	224
	12	697		58	225
	13	178		59	226
	14	179		60	687
	15	180		61	688
	16	181		62	689
	17	106		63	851
	18	182		64	690
	18	183		65	691
	18	184		66	692
	19	90		67	693
	20	91		68	694
	21	92		69	695
	22	185		70	672
	23	186		71	673
	24	187		72	674
	25	188		73	675
	26	189		74	676
	27	190		75	835

Original ordinances.		Revised Ordinances, section.	Original ordinances.		Revised Ordinances, section.
Number.	Section.		Number.	Section.	
86	76	787	86	127	740
	77	677		128	741
	78	678		129	742
	79	679		130	743
	80	680		131	744
	81	681		132	745
	82	682		133	746
	83	683		134	747
	84	684		135	748
	85	685		136	749
	86	686		137	750
	87	698		138	751
	88	699		139	799
	89	700		140	801
	90	701		141	803
	91	702		142	804
	92	704		143	805
	93	705		144	806
	94	706		145	807
	95	707		146	808
	96	708		147	752
	97	709		148	753
	98	710		149	754
	99	711		150	755
	100	712		151	756
	101	713		152	757
	102	714		153	758
	103	715		154	759
	104	716		155	760
	105	717		156	761
	106	718		157	762
	106	719		158	763
	107	720		159	764
	108	721		160	765
	109	722		161	766
	110	723		162	767
	111	724		163	768
	112	725		164	770
	112	726		165	771
	113	858		166	772
	114	727		167	773
	115	728		168	774
	116	729		169	775
	117	730		170	776
	118	731		171	777
	119	732		172	778
	120	733		173	879
	121	734		174	779
	122	735		175	780
	123	736		176	781
	124	737		177	782
	125	738		178	783
	126	739		179	784

Original ordinances.		Revised Ordinances, section.	Original ordinances.		Revised Ordinances, section.
Number.	Section.		Number.	Section.	
86	180	785	86	233	902
	181	786		234	903
	182	788		235	904
	184	789		236	905
	185	769		237	906
	186	794		238	907
	187	795		239	908
	188	796		240	909
	189	797		241	910
	190	798		242	911
	191	262		243	912
	192	263		244	913
	193	264		245	914
	194	265		246	915
	195	266		247	916
	196	267		248	917
	196	268		249	918
	197	269		250	919
	198	270		251	920
	199	271		252	921
	200	272		253	922
	201	273		254	923
	202	274		255	813
	203	275		256	814
	204	276	88	1	927
	205	277	89	1	114
	206	278		2	231
	207	279		3	236
	208	280	90	3	237
	209	281		4	238
	210	282		5	239
	211	283		1	12
	212	284		1	13
	213	285		1	14
	214	286		1	15
	215	287		1	16
	216	289		1	17
	217	809		1	18
	218	810	91	1	19
	219	811		1	20
	220	812		1	21
	221	790		1	22
	222	791		1	324
	223	792	93	2	435
	224	793		2	450
	225	288		3	436
	226	895		4	437
	227	896		5	438
	228	897		6	439
	229	898		7	440
	230	899		8	441
	231	900		9	442
	232	901		10	443

Original ordinances.		Revised Ordinances, section.	Original ordinances.		Revised Ordinances, section.
Number.	Section.		Number.	Section.	
93	11	444	93	65	490
	12	445		66	23
	13	446		67	24
	14	447		69	25
	15	448		70	26
	16	449		71	27
	17	451		72	28
	18	452		73	30
	19	453		74	491
	20	454		75	492
	21	455		76	493
	22	456		77	494
	23	457		78	495
	24	458		79	425
	25	459		80	426
	26	460		81	832
	27	461		82	833
	28	462		83	428
	29	654		84	429
	30	655		85	496
	31	656		86	430
	32	627		87	497
	33	618		88	498
	34	855		89	499
	35	463		90	500
	36	464		90	501
	37	465		92	745
	38	631		93	502
	39	466		94	503
	41	467		95	504
	42	468		96	505
	43	469		97	506
	44	470		98	507
	45	626		99	508
	46	471		100	509
	47	472		101	510
	48	473		102	861
	49	474		103	511
	50	475		104	512
	51	476		105	513
	52	477		106	514
	53	478		107	515
	54	479		108	516
	55	480		109	517
	56	481		110	518
	57	482		111	519
	58	484		112	520
	59	483		113	521
	60	485		114	523
	61	486		115	522
	62	487		116	524
	63	488		117	524
	64	489		118	526

Original ordinances.		Revised Ordinances, section.	Original ordinances.		Revised Ordinances, section.
Number.	Section.		Number.	Section.	
93	120	528	93	171	887
	121	529		172	888
	122	871		173	889
	123	530		174	890
	124	531		175	891
	125	532		176	892
	126	533		177	893
	127	534		178	894
	128	535		179	561
	129	647		180	560
	129	800		181	562
	130	536		182	563
	131	537		183	564
	132	802		184	565
	133	538		186	567
	134	539		187	568
	135	540		188	569
	136	541		189	570
	137	542		190	626
	138	543		191	571
	139	544		192	572
	140	545		193	573
	141	546		194	574
	142	547		195	575
	143	548		196	576
	144	549		197	577
	144	626		198	578
	145	550		199	579
	146	552		200	580
	147	551		201	581
	148	553		202	582
	149	554		203	583
	150	555		203	584
	151	556		204	415
	153	557		205	416
	154	558		206	417
	155	869		207	418
	155	870		208	585
	156	559		209	586
	157	872		210	587
	158	873	95	1	527
	159	874	96	1	170
	160	875	99	1	649
	161	876	100	2	566
	162	877	101	1	172
	163	878	103	1	588
	164	880		2	589
	165	881		3	590
	166	882		4	591
	167	883		5	593
	168	884		6	594
	169	885		7	595
	170	886		8	596

Original ordinances.		Revised Ordinances, section.	Original ordinances.		Revised Ordinances, section.
Number.	Section.		Number.	Section.	
103	9	597	104	2	2
	10	598		4	4
	11	599		5	5
	12	600		6	6
	13	601		7	7
	14	602		10	10
	15	603		336	336
	16	604		616	616
	17	605		617	617
	18	629		653	653
	19	606		925	925
	20	607		926	926
	21	608		930	930
	22	609		931	931
	23	610		932	932
	24	611		933	933
	25	612		934	934
	26	615		935	935
	27	613		936	936
	28	614		937	937
	29	592		938	938
104 ^a	1	1			

[Original ordinances or sections thereof, not appearing in the foregoing reference table, are ordinances or parts of ordinances omitted from The Revised Ordinances because repealed, superseded, or rendered obsolete by later ordinance or by Act of the Philippine Commission. The five special ordinances not repealed are, of course, not comprehended in the above statement.]

^a **New sections added by revision.**—All sections cited under Ordinance No. 104 are practically new matter added by the revision.

APPENDIX C.

TABLE OF CASES AND OPINIONS CITED.

Cases determined in the Supreme Court of the Philippine Islands.

Citation.	Section of Charter.	Section of Revised Ordinances.
Aguado <i>v.</i> City of Manila, 9 Phil., 513	1	Title 4
Alexander, U. S. <i>v.</i> , 8 Phil., 29	37	821, 850
Arceo, U. S. <i>v.</i> , 6 Phil., 29	3	
Bautista <i>v.</i> Johnson, 2 Phil., 230	42	
Catholic Church <i>v.</i> Hastings et al., 5 Phil., 701	48	
Chan-Cun-Chay, U. S. <i>v.</i> , 5 Phil., 385	16	621
Choa Chi Co, U. S. <i>v.</i> , 3 Phil., 678		620
City of Manila <i>v.</i> Cabangis, 10 Phil., 151	2	
City of Manila <i>v.</i> Cheng et al., 7 Phil., 550	1	
City of Manila <i>v.</i> Monte de Piedad, 5 Phil., 234	1	
Collins <i>v.</i> Wolfe, 5 Phil., 285	3	
Flemister, U. S. <i>v.</i> , 5 Phil., 650	42	
Gandole et al., U. S. <i>v.</i> , 6 Phil., 253		620
Gavieres, U. S. <i>v.</i> , 10 Phil., 694	42	
Hoey <i>v.</i> Baldwin, 1 Phil., 551	6	
Jeng, U. S. <i>v.</i> , 2 Phil., 179	40, 42	
Jenkins et al., U. S. <i>v.</i> , 5 Phil., 278	3	
Legaspi <i>v.</i> Sweeney, 5 Phil., 157	42	
Mateo, U. S. <i>v.</i> , 5 Phil., 462		265
McGovern, U. S. <i>v.</i> , 6 Phil., 621	40	
Que Bing et al., U. S. <i>v.</i> , 6 Phil., 513	42	622
Roxas <i>v.</i> City of Manila, 9 Phil., 215		89
Salvador et al., U. S. <i>v.</i> , 6 Phil., 439	3	
Trinidad <i>v.</i> Sweeney et al., 4 Phil., 531	42	
Trinidad, U. S. <i>v.</i> , 7 Phil., 325	17 (<i>hh</i>), 42, 44a	619
Ventosa, U. S. <i>v.</i> , 6 Phil., 385	37	821
Wilson, U. S. <i>v.</i> , 4 Phil., 317	40	

Opinions of the Attorney-General of the Philippine Islands.

Citation.	Section of Charter.	Section of Revised Ordinances.
Burial permits, police zone, Op. Atty.-Gen., 4 Off. Gaz., 367 -----		265 Title 4
Carriedo fund, 1 Op. Atty.-Gen., 319, 450 -----		
Orders of arrest, judge of municipal court, Op. Atty.-Gen., 6 Off. Gaz., 122 -----	40	
Ordinances, police zone, Op. Atty.-Gen., 3 Off. Gaz., 65 -----	16	
Pardons by Municipal Board, 2 Op. Atty.- Gen., 632 -----	17 (g)	
Sale and supply of electricity, 1 Op. Atty.- Gen., 508 -----		Chap. 21
San Lazaro Estate, exemption from taxation, Op. Atty.-Gen., 4 Off. Gaz., 28, 31 -----	48	

Miscellaneous.

Compilation of the Acts of the Philippine Commission -----	40, 42, 44, 88b	
Kepner v. U. S., 195 U. S., 100 -----	42	
Lobingier on Philippine Practice -----	42	

INDEX TO THE MANILA CHARTER
AS AMENDED.

INDEX TO PART I.¹

THE MANILA CHARTER AS AMENDED

WITH WHICH ARE PRINTED SUCH FURTHER LAWS
AS CONCERN THE GOVERNMENT OF THE
CITY OF MANILA.

A.

	Section.	Page.
ACCOUNTS:		
Auditing of	18	37
ADVERTISEMENTS, BIDS OR PROPOSALS	30	40
ANIMALS:		
At large	17 (<i>q</i>)	33
Cruelty to	17 (<i>r</i>)	33
Impounding	17 (<i>q</i>)	33
APPEALS FROM MUNICIPAL COURT	42	51
APPOINTMENTS:		
City attorney and assistant	12	28
Disbursing officer of board.....	6	26
Eligibility for	27, 66	40, 66
Judge, municipal court	40	50
Justice of peace and auxiliary	44	54
Municipal Board	4	24
Officers and employees.....	12	28
Prosecuting attorney and assistants	12	28
Secretary of Board.....	5	26
Sewer and waterworks construction, engineer and as- sistants	88 (<i>a</i>)	73
APPROPRIATIONS FOR CITY:		
Municipal Board to make.....	15	29
Percentage from Insular Treasury.....	15	29
ARRESTS WITHOUT WARRANT	37	45
ASSESSMENT:		
Back taxes	50	61
Increase or reduction in.....	57	63
Notice of, publication.....	57	63
Revision by board of tax appeals.....	56	63
ASSESSMENTS AND COLLECTIONS:		
Accounts-current and abstracts.....	61	65
Appeals from tax levies.....	53	62
Department of, Board's control over.....	11	28
Division of	46 (<i>b</i>)	58
Statement, annual	61	65

¹ **Note.**—"Further laws" which concern the government of the city of Manila, as distinguished from the Charter proper, have the Act number indicated after the heading.

ASSESSOR AND COLLECTOR, CITY:	Section.	Page.
Annual account-current to Auditor	61	65
Appeals from	53	62
Collection of taxes, rents, etc.....	61	64
Court fines and fees paid to.....	40	48
Deed of forfeited realty to municipality.....	80	71
Delinquents, seizure of personal property.....	73	68
Duties and powers.....	46	57
Fees, justice of the peace.....	44	55
Increase or reduction of assessments.....	57	63
List of taxable property.....	51	61
Pail system, collection of charges.....	61	64
Sheriff's fees	43	53
Tax list, publication of.....	52	62
Tax sales—		
Advertisement	76	70
Certificate of redemption.....	77	71
Certificate to purchaser.....	76	71
Deed to purchaser.....	78	71
Taxation—		
Back taxes	50	61
Leaseholds	49	61
Unknown owner	49	61
Water rents, collection.....	61	64
ASSESSORS	44 (a)	55
AUDITOR, INSULAR:		
Accounts-current of deceased officers.....	29	40
Assessor and collector, annual account-current.....	61	65
Audit of city accounts.....	18	37
Bonds—		
Clerk of municipal court	40	49
Members of Municipal Board	8	27
Copy of contracts filed with	31	41
Justice of the peace, statement of fees	44	55
Receipts of incoming officers to	29	40
Sheriff, statement of fees	43	53
Transfer of funds to city	15	30
AUTOPSIES	39	47
AYUNTAMIENTO BUILDING:		
Control over	16	30
B.		
BATH HOUSES	17 (y)	35
BELLS:		
Ringling of	17 (jj)	36
BIDS:		
Advertisement for	30	40
BILIBID PRISON:		
City prisoners	22	37
BOARD OF TAX APPEALS:		
Appeal from, to Executive Secretary	56	63
Constituted	54	62
Revision of assessments	56	63
BONDS:		
Clerk of municipal court	40	49
Municipal Board	4, 8	25, 27
Officers and employees	8	27
Officers prohibited from becoming surety on	28	40
Performance of contracts	31	41
Prisoners, municipal court	40	48

	Section.	Page.
BOUNDARIES	2	22
BRIBERY:		
Officers assessing or collecting taxes	88	73
BUILDINGS:		
Erection, rental, etc., by Board	17 (c)	31
BUSINESS:		
Dangerous	17 (l)	32
Officials, prohibited from engaging in.....	28	40
Regulations	17 (j)-(l)	32

C.

CANALS AND WATER COURSES	17 (u)	34
CEDULA TAX	60	64
CITY ATTORNEY:		
Appointment	12	28
Assistant, appointment	12	28
Duties	38	45
COCKPITS	17 (o)	33
COMMISSION, PHILIPPINE:		
Appropriations for city, amount from Insular Treasury..	15	29
COMPLAINTS:		
Property valuation	52	62
CONCURRENT JURISDICTION:		
Municipal and provincial courts and police	3	23
CONSULTING ARCHITECT (Act No. 1495) :		
Burnham plan	4	94
Duties	2	94
Opinion and recommendation	6	94
CONTINUING APPROPRIATIONS (Acts Nos. 1706, 1727) :		
Bridges, esteros, parks, and streets	2	91
Department of sanitation and transportation	4	92
Insurance fund	3	91
Luneta Extension loan, repayment	1	90
CONTRACTS:		
Bond	31	41
More than ₱1,000	31	41
Not more than ₱1,000	32	41
Signature	31	41
CRUELTY TO ANIMALS	17 (r)	33

D.

DAMAGES:		
To persons or property, city not liable.....	68	67
DANGEROUS BUSINESSSES	17 (l)	32
DEATHS, SUDDEN:		
Investigation	39	47
DEPARTMENTS, HEADS OF:		
Absence or sickness	25	39
Duties and powers	25	38
Estimates by	25	39
Reports by	25	39
Warrants on disbursing officer	19, 25	37, 38
DISORDERLY HOUSES	17 (n)	33
DISTRICTS, CITY	2 (a)	23
DISTURBANCES OF THE PEACE	17 (hh)	36
DOGS	17 (p)	33
DRAINS, SEWERS, ETC	17 (x)	35

E.

	Section.	Page.
EDUCATION, DIRECTOR OF:		
Jurisdiction and powers	23	38
ELECTRICITY	17 (ii)	36
ELIGIBILITY:		
Appointments under city government	66	66
To city offices	27	40
ENGINE HOUSES AND FIRE APPARATUS	17 (i)	32
ENGINEER, CITY:		
Assistants to	34	43
Duties and powers	33	41
Ex officio member of Municipal Board.....	4	24
ENGINEERING AND PUBLIC WORKS, DEPARTMENT OF:		
Board's control over	11	28
School buildings	24	38
ENGINES AND BOILERS	17 (m)	33
ENTRY OF BUILDINGS	37	45
EXECUTIVE AUTHORITY OF BOARD	11	28
EXECUTIVE SECRETARY:		
Approval of revision of assessments	56	63
Board of tax appeals, appeals from.....	56	63
EXPLOSIVES	17 (l), 45	32, 57

F.

FIRE	17 (aa)	35
FIRE APPARATUS	17 (i)	32
FIRE DEPARTMENT:		
Board's control over	11	28
Chief of; duties	45	56
FIRE LIMITS	17 (h)	32
FIREWORKS AND LIGHTS	17 (gg)	36
FIRST INSTANCE, COURTS OF:		
Appeals to	42	51
Assessors	44 (a)	55
Clerk as ex officio sheriff.....	43	52
Jurisdiction in police zone	3	23
Physicians as witnesses	44 (b)	56
Trials on appeal, de novo	42	52
FISCAL YEAR	9	28
FLOODS	17 (aa)	35
FRANCHISES, STREET RAILWAY (various Acts):		
Application of provisions of Act No. 667.....	14	102
Condemnation of private property	13	102
Form of	2	100
Granting	1	100
Manila Electric Railroad and Light Company.....	3, 4	100, 101
Amendment	2 (a)	100
Mortgages	10	101

G.

GAMBLING	17 (n)	33
GAS SUPPLY	17 (ii)	36
GOVERNMENT:		
How vested	4	24

GOVERNOR-GENERAL:

	Section.	Page.
Annual report to	14	29
Appointments by—		
City attorney and assistant.....	12	28
City officers	12	28
Judge, municipal court	40	50
Justice of the peace and auxiliary	44	54
Members of Municipal Board	4	24
Prosecuting attorney and assistants	12	28
Approval of—		
Appropriations	15	29
Bonds	8	27
Charges, department of sanitation and transporta- tion	88 (b)	73
Requisitions for warrants.....	19	37
Assessments, revision	56	63

H.

HEADS OF DEPARTMENTS. (*See* DEPARTMENTS, HEADS OF.)

HEALTH (Act No. 1150):

Bureau of—		
Accumulation of unhealthful substances.....	7	82
Emergency powers	8	82
Revocation	9	82
Employees, emergency	8	82
Sanitary inspections	6	81
Director of—		
Inspections	6, 12	81, 83
Violations of ordinances, complaint.....	5	81
Engineer, city, report of sanitary conditions.....	6	82
Governor-General, emergency powers to Bureau of Health	8, 9	82
Municipal Board, unhealthful substances.....	7	82
Ordinances—		
Amendments to	1	77
Appeals to Governor-General by Municipal Board....	1	77
Approval by Secretary of the Interior.....	1, 8 (a)	77, 82
Distribution	4	81
Drafted by Bureau of Health.....	1	77
Emergency	8	82
Enactment	1	77
Forwarded to Municipal Board when drafted.....	1	77
Forwarded in triplicate.....	2	77
Governor-General, functions as to.....	1	77
Provisions which may be prescribed by.....	3	77-81
Publication of, language.....	4	81
Return to Bureau of Health for amendment.....	1	77
Sanitary Code	4	81
Violations of, complaint.....	5	81
Police, sanitary; inspections.....	6	81
Sanitary Code	4	81
Unhealthful substances, accumulation, complaint.....	7	82

HEALTH, DIRECTOR OF:

Autopsies, assistance in.....	39	47
-------------------------------	----	----

HEALTH REGULATIONS 17 (*dd*) 36

HOUSES:

Numbering of	17 (t)	34
--------------------	--------	----

I.

	Section.	Page.
IMPROVEMENTS, PUBLIC	33	41
INTERNAL REVENUE, COLLECTOR OF:		
Ex officio assessor and collector.....	46 (a)	58
INVESTIGATION OF CRIMES	39	46

J.

JUDICIAL DISTRICT:		
Territory	40	47
JURISDICTION, CONCURRENT:		
Municipal and provincial courts and police.....	3	23
JUSTICE OF THE PEACE:		
Appointment, duties, and salary.....	44	54
Assessors in court of.....	44 (a)	55
Auxiliary	44	54
Fees	44	55
Jurisdiction	44	54

L.

LATRINES AND CESSPOOLS	17 (x)	35
LAUNDRIES	17 (y)	35
LAW DEPARTMENT:		
Board's control over.....	11	28
City attorney.....	38	45
Prosecuting attorney	39	45
LEASEHOLD:		
Taxation of	49	61
LEGISLATIVE AUTHORITY OF BOARD	11	28
LICENSES	17 (j)	32
Collection of fees	61	64
Liquor, granting or revocation by Municipal Board.....	70	67
LIGHTING	17 (t)	34
LIGHTS, REGULATION	17 (gg)	36
LIQUOR LICENSES (Act No. 59 as amended) :		
Anisado	9	86
Applications	5	84
Bar—		
First class	2	83
Second class	3	84
Brewers'	15	88
Cafés	7	85
Cleanliness and order.....	11	86
Closing hours, saloons, etc.....	6	84
Construction	9	86
Distillers'	16	88
Druggists'	13	87
Dwellings, private, exemption.....	6	85
Give away, construed.....	6	85
Grocery	14	87
Hotel—		
First class	8 (a)	85
Second class	8 (b)	85
Intoxicated persons	11	86
Liquor—		
Not specified in license, sale prohibited.....	10	86
Quality of	11	86
Music in hotels or theaters.....	11	86
Native wines—		
License and fee.....	12	86
Sale prohibited, when.....	9, 24	86, 90

LIQUOR LICENSES—Continued.

	Section.	Page.
Nullification	25	90
Penalties	25	90
Posting of	21	89
Prohibited, certain streets	23	89
Restaurants—		
First class	7 (a)	85
Second class	7 (b)	85
Revocation	25	90
Sale of liquor, by agents or employees	10	86
Soldiers, sale to, of native wines, etc., unlawful.....	24	90
Theater	4	84
Transfers	20	89
Tuba	9	86
Vino	9	86
Wholesale—		
First class	17	88
Second class	18	88
Third class	19	89

LUNETTA EXTENSION (Act No. 1360) :

Boulevard	3	95
Burnham plan	3	95
Sea wall	4	95

M.

MANILA BAY:

Jurisdiction over	17 (cc)	35
-------------------------	---------	----

MARKETS

.....	17 (z)	35
-------	--------	----

MONEYS OF CITY:

Treasurer, Insular, to receive and keep	19, 25	37, 39
---	--------	--------

MUNICIPAL BOARD:

Animals at large	17 (q)	33
Appointment of members	4	24
Appropriations	15	29
Assessor and collector, annual report	61	65
Assessors, list of.....	44 (a)	55
Bath houses	17 (y)	35
Bells, ringing of	17 (jj)	36
Bids or proposals, advertisement for, etc.....	30	40
Bond	4, 8	25, 27
Books and papers, inspection of	13	29
Buildings, erection, rental, etc.....	17 (c)	31
Business, transaction of	10	28
Canals and water courses	17 (u)	34
Cash, inventory of	14	29
Charge of office of deceased officers	29	40
Cockpits	17 (o)	33
Contractors' bonds	31	41
Contracts	31, 32	41
Signature	31	41
Cruelty to animals	17 (r)	33
Damages through negligence	68	67
Dangerous buildings	33	43
Dangerous businesses	17 (l)	32
Disbursing officer	6	26
Disorderly houses	17 (n)	33
Disturbances of the peace	17 (hh)	36
Dogs	17 (p)	33
Drains, sewers etc.....	17 (x)	35

MUNICIPAL BOARD—Continued.

	Section.	Page.
Duties and powers—		
In detail	17	31
In general	16	30
Election districts	4	24
Elective members—		
Attendance at sessions	26	39
Bonds	4	25
Election	4	24
Per diems	4	26
Qualifications	4	25
Removal from office	4	25
Term of office	4	25
Vacancy in office of	4	25
Electricity	17 (ii)	36
Engine houses and fire apparatus	17 (i)	32
Engines and boilers	17 (m)	33
Erection of poles	17 (t)	34
Estimates, annual, of expenses	14	29
Ex officio member	4	24
Executive authority	11	28
Explosives	17 (l)	32
Fire	17 (aa)	35
Fire apparatus	17 (i)	32
Fire limits	17 (h)	32
Floods	17 (aa)	35
Gambling	17 (n)	33
Gas supply	17 (ii)	36
Health regulations	17 (dd)	36
Inventory of property	14	29
Jurisdiction over bay and water supply	17 (cc)	35
Latrines and cesspools	17 (x)	35
Laundries	17 (y)	35
Legislative authority	11	28
Licenses	17 (j)	32
Lighting	17 (t)	34
Lights and fireworks	17 (gg)	36
Liquor licenses, revocation	70	67
Markets	17 (z)	35
Members as peace officers	37	45
Nuisances	17 (t), (jj)	34, 36
Numbering of houses	17 (t)	34
Oaths of office	7	27
Offensive trades, location	17 (z)	35
Officers and employees, removal	12	28
Opium smoking	17 (ff)	36
Ordinances	16, 17 (kk)	31, 36
Pardons	17 (g)	32
Police courts	17 (f)	31
Police force	17 (bb)	35
Police jurisdiction	3	23
Pounds	17 (q)	33
President, designation and duties	4	25
Prisoners, release of	17 (g)	32
Processions	17 (t)	34
Prostitution, houses of	17 (n)	33
Public places	17 (t)	34
Quorum	10	28
Lack of	4	25

MUNICIPAL BOARD—Continued.

	Section.	Page.
Railroad tracks	17 (<i>t</i>)	34
Refuse	17 (<i>t</i>)	34
Regulations for various businesses	17 (<i>j</i>)-(<i>l</i>)	32
Report of schools to	24	38
Reports, annual	14	29
Riots	17 (<i>hh</i>)	36
Salaries, municipal, payment	17 (<i>b</i>)	31
Schools—		
And school buildings	23, 24	38
Application to Commission for appropriation for....	59	64
Primary	17 (<i>d</i>)	31
Secondary	17 (<i>e</i>)	31
Secretary, appointment and duties	5	26
Sewer and waterworks construction, engineer and as-		
sistants	88 (<i>a</i>)	73
Sewers, laying of	17 (<i>t</i>)	34
Sickness of members	4	25
Signs	17 (<i>t</i>)	34
Slaughterhouses	17 (<i>z</i>)	35
Special police	37	45
Speed of vehicles	17 (<i>t</i>)	34
Stables	17 (<i>y</i>)	35
Street railway service	17 (<i>ii</i>)	36
Streets, parks, etc.	17 (<i>t</i>)	33
Tax appeals board, is	54	62
Taxes, collection of	17 (<i>a</i>)	31
Telephone service	17 (<i>ii</i>)	36
Traffic, regulations	17 (<i>t</i>)	34
Vacancies to be filled by	12	28
Water pipes, laying of	17 (<i>t</i>)	34
Waterworks	17 (<i>w</i>)	35
Weights and measures	17 (<i>s</i>)	33
Wharfage	17 (<i>ee</i>)	36
Wharves and docks	17 (<i>v</i>)	35

MUNICIPAL COURT:

Acting judge	40	50
Appeals from	40, 42	49, 51
Assessors	44 (<i>a</i>)	55
Bond for appearance	40	48
Clerk—		
Appointment	40	50
Bond	40	49
Docket	40	49
Fines and fees, disposal	40	48
Judge—		
Appointment	40	50
Powers of	40	49
Traveling expenses	40	50
Judicial notice of ordinances	42	52
Jurisdiction	3, 40	23, 47
Oaths	40	49
Physicians as witnesses	44 (<i>b</i>)	56
Preliminary examinations	40	48
Procedure	40	48
Seal	40	49
Sessions	40	47

MUNICIPALITY, MANILA CONSTITUTED	1	21
---	----------	-----------

N.

	Section.	Page.
NUISANCES	17 (t), (jj)	34, 36

O.

OATHS:

City officers	7	27
Municipal court	40	49
Tax appeals, board of	55	63

OFFENSIVE BUSINESSES	17 (z)	35
-----------------------------------	--------	----

OFFICE:

Holding more than one	26	39
Persons not eligible to	27	40

OFFICERS AND EMPLOYEES:

Appointment	12	28
Bond	8	27
Death of	29	40
Inspection of books and records	13	29
Prohibition as to engaging in business transaction with city	28	40
Removal by Board	12	28
Separation from service, duty upon	29	40
Successors to	29	40

ORDINANCES:

Judicial notice	42	52
Making, publication, and enforcement of	17 (kk)	36
Publication	10	28
Signature, seal and record	10	28

P.

PARDONS	17 (g)	32
----------------------	--------	----

PARKS	17 (t)	33
--------------------	--------	----

PEACE:

Keeping of	17 (hh)	36
------------------	---------	----

PEACE OFFICERS:

Duties and powers	37	45
Sheriff and deputies as	43	54

PENALTIES:

Lien on realty	75	70
----------------------	----	----

PER DIEMS:

Municipal Board	4	26
-----------------------	---	----

PERJURY	39	47
----------------------	----	----

PHILIPPINE ASSEMBLY, DELEGATES TO (Act No. 1582):

Election districts	7	76
Manila declared a province	3	75
Number of	5	76

PHYSICIANS AS WITNESSES	44 (b)	56
--------------------------------------	--------	----

POLES:

Erection of	17 (t)	33
-------------------	--------	----

POLICE COURTS	17 (f)	31
----------------------------	--------	----

POLICE DEPARTMENT	35	43
--------------------------------	----	----

Assistant chief, duties	36	45
-------------------------------	----	----

Board's control over	11	28
----------------------------	----	----

Chief—

Duties and powers	35	43
-------------------------	----	----

Executive officer of municipal court.....	40	47
---	----	----

Secret service, chief of, duties	36	45
--	----	----

Special police, powers	37	45
------------------------------	----	----

	Section.	Page.
POLICE ZONE:		
Fines, disposal of	3	23
Licenses	3	23
POUNDS	17 (g)	33
POWERS OF CITY	1 (b)	21
PRISONERS:		
Order of commitment	41	51
Release of	17 (g)	32
Warden of Bilibid to receive	22	37
PROCESSIONS	17 (t)	33
PROPERTY:		
Real and personal	1 (b)	21
PROPERTY, SERVICES, AND SUPPLIES (Act No. 1706):		
Charges	6	92
Fees and fines	6	92
Proceeds of taxation, separation	6	92
Readjustment of receipts and duties of departments....	6	92
Refunds	7	93
Transfers of property	5	92
PROPOSALS:		
Advertisement for, etc	30	40
PROSECUTING ATTORNEY:		
Appointment	12	28
Assistants	39	46
Appointment	12	28
Duties	39	46
PROSTITUTION:		
Houses of	17 (n)	33
PUBLIC PLACES	17 (t)	33
PURCHASING AGENT:		
Purchases for city	20	37

R.

RAILROADS:		
Laying tracks	17 (t)	33
REALTY:		
Escaping taxation	50	61
Exempt from taxation.....	48	60
Forfeiture to municipality.....	79	71
Listing and valuation of.....	49-51	61
Omission from tax lists	85, 86	72
Owner's failure to make return of.....	49	61
Redemption	77, 80	71
Sale for taxes, advertisement.....	76	70
Tax list	51, 52	61, 62
Tax sale, deed to purchaser.....	78	71
Taxes	47	59
Lien on, for	75	70
Unknown owner	49	61
REFUSE	17 (t)	33
REGISTER OF DEEDS (Act No. 493):		
Appointment	10	74
Assistants	11	75
Clerk of Court of Land Registration as, when.....	11	75
Salary	10, 13	74, 75
Under Court of Land Registration.....	10	74

REPORTS:	Section.	Page.
Heads of departments.....	25	38
Schools	24	38
REQUISITIONS FOR WARRANTS	19, 25	37, 38
RIOTS	17 (<i>hh</i>)	36

S.

SALARIES:		
Municipal	17 (<i>b</i>)	31
SANITATION AND TRANSPORTATION, DEPARTMENT		
OF	88 (<i>b</i>)	73
Board's control over.....	11	28
SCHOOL BOARD	23, 24	37, 38
SCHOOLS:		
And school buildings.....	23, 24	37, 38
City superintendent of, powers and duties.....	17 (<i>c</i>), 23, 24	31, 37, 38
Primary	17 (<i>d</i>)	31
Support of	59	64
Secondary	17 (<i>e</i>)	31
Taxes, portion to be devoted to.....	59	64
SEAL OF CITY	1 (<i>b</i>)	21
SECRET SERVICE, CHIEF OF:		
Duties	36	45
SEPARATION FROM MUNICIPAL SERVICE.....	29	40
SEWER AND WATER-SUPPLY SYSTEM (Act of Congress, July 1, 1902, and Act No. 1323) :		
Bonds—		
Application of proceeds of sale.....	72	96
Authority to issue.....	70	96
Denomination, interest, etc.....	71	96
Issue	1	97
Payment	6	99
Of interest	5	98
Report of amount sold.....	4	98
Sale by Secretary of War.....	2	98
Sinking fund	73	97
Construction; materials	10	99
Regulations for letting contracts, etc.....	11	99
Report of progress	12	100
SEWER AND WATERWORKS CONSTRUCTION, DEPART- MENT OF:		
Board's control over	11	28
Chief engineer and assistants.....	88 (<i>a</i>)	73
SEWERS:		
Laying of	17 (<i>t</i>)	33
SHERIFF AND DEPUTIES	43	52
SIGNS	17 (<i>t</i>)	33
SLAUGHTERHOUSES	17 (<i>z</i>)	35
SPEED OF VEHICLES	17 (<i>t</i>)	33
STABLES	17 (<i>y</i>)	35
STREET RAILWAY SERVICE	17 (<i>ii</i>)	36
STREETS, PARKS, ETC.....	17 (<i>t</i>)	33
SURETIES:		
Notice to when liability of, etc.....	29	40
SURVEYS	33	41

T.

	Section.	Page.
TAX APPEALS, BOARD OF:		
Appeals to	53	62
How constituted	54	62
Meetings	56	63
Municipal Board is	54	62
Oath	55	63
Tax lists amended by	56	63
TAX LISTS:		
Amendment	56	63
Preparation	51	61
Publication	52	62
TAX SALES	47	59
Certificate to purchaser	76	70
Deed to purchaser.....	78	71
Personal property	73	68
Redemption	74	70
Realty	76	70
Advertisement	76	70
Redemption	77	71
Validity, suits assailing	83, 84	72
TAXABLE PROPERTY:		
Doubtful or disputed ownership	49	61
Escaping taxation	50	61
Leases and leaseholds	49	61
Listing and valuation	49-51	61
Tax complaints	52	62
TAXATION:		
Bribery	88	73
Real estate, escaping	50	61
TAXES:		
Auditor, Insular, accounts audited by	18	37
Back taxes	50	61
Cedula or registration	60	64
Civil action for	81	72
Collection	17 (a)	31
Collections, deposit of	61	64
Complaints	52	62
Delinquent	73-84	68-72
Forfeiture of realty to municipality	79	71
Lien on realty	75	70
Omission of property from lists	85, 86	72
Real estate	47	59
Exemption	48	60
Failure of owner to make return	49	61
Leaseholds	49	61
Redemption of realty after forfeiture	80	71
School purposes, portion to be applied to	59	64
Tax list, notice	52	62
Validity	82	72
Suits assailing	81	72
TELEPHONE SERVICE	17 (ii)	36
TRAFFIC REGULATIONS	17 (t)	33
TREASURER, INSULAR:		
Deposit of funds with.....	29, 61	40, 64
Moneys, to keep.....	19, 25	37, 38

V.

VACANCIES:	Section.	Page.
Officers and employees.....	12	28
VEHICLES:		
Speed of	17 (t)	33

W.

WARRANTS:		
Money	19, 25	37, 38
WATER PIPES:		
Laying of	17 (t)	33
WATER SUPPLY:		
Jurisdiction over area of drainage.....	17 (cc)	35
WATERWORKS	17 (w)	35
WEIGHTS AND MEASURES	17 (s)	33
WHARFAGE	17 (ee)	36
WHARVES AND DOCKS	17 (v)	35
WITNESSES:		
Enforcement of attendance.....	39, 40	46, 47
Incriminating testimony	39	46
Physicians as	44 (b)	56
Protection	39	46

INDEX TO THE REVISED ORDINANCES OF
THE CITY OF MANILA.

INDEX TO THE REVISED ORDINANCES OF THE CITY OF MANILA.

A.

	Section.
ABATEMENT OF NUISANCES	810-812
ABUSIVE LANGUAGE	628
ACETYLENE:	
Storage and license	493-496
ACROBATS:	
License	502-506
ADULTERATED MILK:	
Defined	746
ADULTERATION:	
Articles deemed adulterated	737
ADVERTISING:	
Agents—	
License	460, 461
Names on posters	462
Bill posting on public buildings, etc	654
Flag, United States, use prohibited.....	627
Obscene	618
On public urinals, prohibited	686
Scattering bills on streets	654
Street, name of agents on posters.....	462
AERATED WATER:	
Source of supply for	732
AFFLICTED PERSONS:	
Treatment	794
AGRICULTURE, DIRECTOR OF:	
Animals—	
Condemnation, protests	901
Cremation	911
Dangerous communicable diseases—	
Notification of deaths	907
Report	905
Quarantine	900
Taxidermy	912
Tuberculin test	747
Veterinary regulations	895-916
<i>(See also VETERINARIANS.)</i>	
AIR INTAKES	232
AIR SPACE:	
Living rooms	239, 696
Offices	239
Schoolrooms	239
Sleeping rooms	239, 696
Workshops, etc.....	239

ALARM SYSTEMS:	Section.
Misuse	639
ALLEY:	
Defined	37
ALTERATIONS:	
Defined	38
AMBULANCES:	
Right of way	842, 844
AMENDMENT OF ORDINANCES:	
Procedure	4
ANALYSIS OF MILK:	
Certificate	749
ANIMALS:	
At large	12-30
Cementerio del Norte	298
Condemnation and cremation	895 (f)
Protest	901
Cruelty to	616
Dead—	
Carriage through streets	831
Cremation	911
Permits	895 (j)
Delivery at factories	809 (p)
Premises containing, nuisance	809 (p)
Removal	809 (p)
Unlawful disposal	910
Diseased—	
At large	904
Care of	664
Driven through streets	903
Isolation	664
Meat from, sale of	725, 909
Report of	905
Disemboweling, business of, prohibition	800
Dogs. (<i>See Dogs.</i>)	
Domestic, defined	896
Entering Manila—	
Inspection	895 (b), 898, 899
Prohibition	895 (d)
Food and water	913
Impounded—	
Fees	15
Publication of notice	17
Purchase by employees prohibited	21
Record by pound keeper	16
Redemption	19
Sale	17-21
Inspection	895, 898, 899
Fees	895 (a)
Keeping of; nuisance, when	809 (m)
Killing and disposition of	799, 902
Killing, business of, prohibition	800
Preservation by taxidermy	912
Quarantine	895 (e)
Subsistence	900
Removals from Manila	895 (g)
Skimming, business of, prohibition	800
Slaughtering	917
Supervision	895 (k)
Unlawful to kill	734
Weighing more than 30 pounds, removal after death	809 (p)

APPENDAGES:	Section.
Defined	41
ARC LIGHTS:	
Inspection fee	324
ARCADES:	
Defined	42
General provisions	117
AREA:	
Defined	39
Drainage	233
ARMY EMPLOYEES:	
Transportation of bodies; fees not charged.....	288
ASSAULT	628
ASSEMBLY HALLS:	
Aisles	413, 423
Entrances	413, 423
Frontage	421
Stairways	422
<i>(See also THEATERS.)</i>	
ASSEMBLY, LAWFUL:	
Disturbance of	628
ASSESSOR AND COLLECTOR, CITY:	
Auctioneers' bonds, filing with	464
Cementerio del Norte, payment for plots.....	307
Dogs—	
License, fractional part of year.....	488
Register of	490
Sale	17-19, 25
Tags for, provision	490
Electric current, disputed bills	378, 379
Electric installations, deposit of fees	326
Fees for copies of city records.....	929
Ferries, permits	497
Horses, registration	862
Licenses—	
Application to	439
Duplicate, issuance	446
Issuance	437
Less than 1 year	441
Record	438
Transfer	447
<i>(See also LICENSES.)</i>	
Markets, duties	610, 611
Meters, electric, fees for testing	378
Pawnbrokers, bonds	542
Permits—	
Duplicate	456
Record of	454
<i>(See also PERMITS.)</i>	
Vehicles—	
Removal of numbers	888
Suspension of license	889
ASYLUMS:	
Treatment of inmates	794, 795
ATTIC STORY:	
Defined	40
ATTORNEY, PROSECUTING.	
<i>(See PROSECUTING ATTORNEY.)</i>	
AUCTIONEERS:	
Bells and criers	631
Bonds	464

AUCTIONEERS—Continued.

Section.

Licenses	463, 465
Exemption	463
Pawnbrokers, jewelry	550
Sale of jewelry, announcement of quality	466

AUDIENCE HALL.

(See THEATERS.)

AUDITOR, INSULAR:

Animals impounded, statement of	20
City records, statement of fees	929
Inspection of electric installations; statement of fees	326
Market collectors' accounts, approval	611

AUTOMOBILES:

License	559
Number, display	874

AUTOPSIES	263
------------------------	-----

B.**BAGGAGE:**

Public carriages	877
------------------------	-----

BAKERIES:

Employees, health of	715
Handling products	720
Light, ventilation, and drainage	711
Occupancy of premises	716
Registration	710
Sanitary maintenance	714
Screening products	731
Sleeping in	721
Sprinkling bread	719
Storage of products	718
Wash rooms and closets	713
Water supply	712

BALCONIES:

Defined	43
Design	154
Projection over street	117

BANCAS:

Carriage, etc., of noxious substances in	787
Disinfection	779, 895 (<i>h</i>)
Sanitary maintenance	785
Used as a ferry, permit	497, 498

BANNERS, ETC.:

Advertising, display on streets	855
---------------------------------------	-----

BARBED WIRE	644, 645
--------------------------	----------

BARBERS:

Barbering on streets	858
Cleaning of tools	728
Hot water	730
Itinerant	468
Licenses	467-469
Personal cleanliness	727
Powder, application by	728, 729
Puff balls, use prohibited	729

BARGES:

Carriage, etc., of noxious substances in	787
Disinfection	779
Latrines on	786
Sanitary maintenance	785

	Section.
BASEBALL:	
In streets, prohibited	635
BASEMENTS:	
Concreting	670, 671
BATHROOMS:	
Tenement and lodging houses, and hotels	702
BAY:	
Defined	44
BAY, MANILA:	
Drainage into	752
BAY WINDOW:	
Defined	45
BEAMS OR JOISTS:	
Cutting or boring.....	152
Floor and roof	150, 151
Iron or steel	157
BEARING WALL:	
Defined	86 (a)
BEGGING ON STREETS	856
BEHAVIOR, INDECENT	619
BELLS:	
At auctions	631
Church, ringing of	632-634
Electric, inspection fee	324
BENDS, PIPE	211
BENEVOLENT ORDERS:	
License, exemption	477
BENZINE:	
Storage and license	493-496
BICYCLES:	
As vehicles	868
Bells	868
Lights	868
BILL POSTING:	
Defacing posters	656
License	460, 461
Name of agent on posters	462
Obscene matter	618
On private property	655
On public buildings, etc., prohibition	654
On public urinals, prohibition	686
BILLBOARDS:	
Erection of, fee	108
BILLIARD ROOMS:	
Minors, prohibition	626
BILLIARD TABLES:	
Permits	470
Revocation	471
BINONDO, CALLE:	
Speed of street cars on	391
BIRTHS:	
Records, access to	798
Report of	797
BLINDS, METAL	175, 176
BOARD, MUNICIPAL.	
(See MUNICIPAL BOARD.)	
BOARDING HOUSES:	
Classes	519
Licenses	518-521
Application for	521

BOARDING STABLES:	Section.
License	472-474
BOATS.	
(See WATER CRAFT.)	
BOILING OFFAL, ETC.:	
Offensive	799
BONDS:	
Auctioneers	464
House movers	110
Market collectors	610
Master plumber	555
Pawnbrokers	542
BONES:	
Boiling, offensive	799
Crushing, storing, etc., permit.....	536
BOTANICAL GARDENS:	
Dogs in	927
BOTTLES, FEEDING:	
Construction	751
BOWLING ALLEYS:	
License	475, 476
BRACING OF BUILDING FRAMES	163
BRANCH ARMS:	
On telephone poles	371
BREACHES OF THE PEACE	628
BRICK	127
Permit to manufacture	536
BRIDGE OF SPAIN:	
Watchman, street railway	384, 385
BUILDING LINE:	
Defined	47
BUILDING LOT OR SITE:	
Defined	48
Occupancy, percentage of	227, 228
BUILDING MATERIALS:	
Brick	127
Cement	131
Concrete	132
Factors of safety	139
Iron—	
Cast	135
Wrought	134
Lime	130
Lumber	133
Quality	126
Sand	129
Steel	136
Stone	128
Stresses, calculation of	138, 139
Tests	137
BUILDINGS:	
Abatement of nuisances	810-812
Air intakes	232
Air space, apportionment	239
Areas, drainage	233
Balconies, framing	154
Beams and joists, cutting or boring	152
Beams, iron or steel.....	157
Buttresses	146

BUILDINGS —Continued.	Section.
Certificate of city engineer.....	34
Chaffan	116
Chimneys, construction	432
City engineer, duties as to. (<i>See ENGINEER, CITY.</i>)	
Classification	46 (a)
Closets—	
Accommodations	681
Construction of inclosure around.....	680
Maintenance	679
Where placed	215
Columns, iron or steel.....	155, 156
Composite—	
Defined	46 (b)
Height	147
Condemnation	241
Construction or repair, prohibition.....	31
Courtyards—	
Drainage	233
Measurement	229
Damp; nuisance	809 (b)
Dark; nuisance	809 (b)
Defective, repair	240
Definition	46
Dilapidated; nuisance	809 (b)
Doors, etc., metal	175, 176
Downspouts and gutters	172
Drainage pipes, cast-iron; weight	207
Drawings required	97
Electrician, right to enter.....	320
Elevators	242-247
Encroachment on streets	824
Engineer, city. (<i>See ENGINEER, CITY.</i>)	
Erection on undivided property	119
Floor beams, framing	150, 151
Floor system	167
Floors, mezzanine	238
Footing courses	143
Foundations	141-144
Depth	144
On silty soil	142
Frames—	
Bracing	163
Iron or steel, proportioning	166
Framework	147
Framing	149-154
Balconies	154
Bracing	163
Bridging of joists.....	151
Details	149
Floor beams, etc.....	150, 151
Iron, connections	159
Iron or steel, inclosing of.....	168
Porches	154
Roof beams, etc.....	150, 151
Stud partitions	153
General provisions	31-36
Ground surface, concreting	670, 671
Gutters	172

BUILDINGS—Continued.

Height of—	Section.
Defined	61
Regulations	147
House moving	110, 111
Ill ventilated; nuisance	809 (b)
Infested with rats; nuisance.....	809 (c)
Insanitary sites	792
Inspection, sanitary	663-665
Iron or steel, below water level.....	165
Length defined	70
Level of ground	114
Light and ventilation	227-239
Light materials—	
Construction in district of.....	124
Defined	46 (a)
Fees for permits	108
Repair permits	125
Space around	124
Line defined	47
Lines and grades, marking	113
Load defined	72
Lot or site defined	48
Percentage of occupancy of	227, 228
Materials for. (See BUILDING MATERIALS.)	
Matting, use in.....	123 (b)
Minor repairs	104
Mixed-material—	
Defined	46 (a)
Fees for permits	108
Occupancy of streets	824-830
Overcrowding	697
Evidence of	704
Painting structural metal work	164
Permits	89-109
Applications for	94
Consideration of applications	103
Fees	108
Issuance	107
Refused, when	105, 106
Revocation	109
Void, when	93
When not required	104
Piling or compression of soil	141
Plague infected, alterations, etc.....	775
Plans—	
Framing details	149
Preparation, etc	96
Requisite	96-102
Superimposed	100
Plumbing and drainage	178-226
Plumbing requirements	32
Porches, framing	154
Private, posting bills on	655
Public—	
Expectoration in, forbidden	768
Injury to	651
Posting bills	654
Raising, fee	108

BUILDINGS—Continued.	Section.
Receptacles for rubbish, etc	689
Removal	834
Fee	108
Permission	110, 111
Riveting	160
Roof beams, etc., framing	150, 151
Roofs	169-171
Rooms—	
Air space	696
Height of	234
Sanitary maintenance	667
Sanitary requirements	32
Secondary, defined	46 (c)
Sewers—	
Laying	191
Location	189
Separate	194
Shafts, air, drainage	233
Shutters, metal	175, 176
Silty soil	142
Sinks, lining	219
Site—	
Defined	48
Percentage of occupancy of	227, 228
Situation plans	96, 97
Skylights	174
Smokestacks, construction	433
Specifications	101-103
Statements with applications for permit.....	95
Storage of inflammables	426, 427
Strong material—	
Defined	46 (a)
District of	121
Fees for permits	108
Repair	122
Stud partitions, framing	153
Tanks, water	173
Tie rods	158
Trusses	161
Unsafe	240, 241
Ventilation	227-239
Ventilation and skylights	174
Violation of regulations, penalty.....	36
Wall plates	162
Walls—	
Buttressed	146
Composite, thickness	148
Construction	145-148
Filling	147
Framework	147
Masonry	145, 147
Water connections—	
Applications for	250
Expense	252
Sizes	251
Water-closets. (See WATER-CLOSETS.)	
Water meters, examination	254
Water supply, plans, filing, etc.....	181
Width, defined	87

BUILDINGS—Continued.

Windows—	Section.
Area of	236
Number	235

BURIAL GROUNDS.

(See CEMETERIES.)

BURIALS:

At sea	280
Paupers	308
Permits—	
Fees	288
Issue	265
Presentation	266
Void, when	267
Persons charged with duties of	277-279
Time allowed for	268
Unlawful	275

BUSINESS:

Offensive or dangerous. (See OFFENSIVE TRADE.)	
Permits	452-459
Prohibited	647, 800

C.**CAFÉS:**

Classes	566
Licenses	565-568

CALCIUM CARBIDE:

License and storage	493-496
---------------------------	---------

CALESAS.

(See CARRIAGES, PUBLIC.)

CALVES:

Killing for food	734
------------------------	-----

CANALS:

Deposit of noxious substances in	788
Drainage into	752
Use of water	789

CARABAO CARTS.

(See CARTS.)

CARRIAGES, PUBLIC:

Baggage	877
Complaints	892
Construed	870
Dangerous communicable diseases, persons with, refused	879
Disorderly passengers	880
Drivers, refusal to convey passengers.....	878, 886
Enforcement of regulations	894
Equipment	873
Fares, rates of	876
License	558, 559
Number, display	874
Overcharging	886
Persons admitted	878
Signals	875

CARRIEDO WATER SYSTEM.

(See WATER SUPPLY.)

CARROMATAS.

(See CARRIAGES, PUBLIC.)

CARTS, PUBLIC:	Section.
Construed	780
Drivers, badges	885
License	558, 559
License numbers, display	884
Lien on articles transported	883
Rates of fare	882
Schedule of rates, exhibit	884
CASCOES.	
(See WATER CRAFT.)	
CASE OF DANGEROUS COMMUNICABLE DISEASE.	
Defined	763
(See also DANGEROUS COMMUNICABLE DISEASES.)	
CAST IRON	135
CATTLE:	
Yarding of	800
CELLAR:	
Defined	49
CEMENT	131
CEMENTERIO DEL NORTE:	
Administration	292, 294, 295
Record	294
Animals at large	298
Burial of paupers	308
Chapel—	
Fees for use	309
Preparation for services	300
Use of	299
Cremation, disposal of ashes	313
Exhumation, expenses	311
Fees	309
Graves—	
Price	309
Purchase	302
Reversion to city	310, 312
Title, how secured	307
Interment—	
Expenses	311, 312
Irrespective of race, creed, etc.....	296
Monuments—	
Erection	304
Repair	305
Niches—	
Price	309
Purchase	302
Repair	305
Reversion to city	310, 312
Title, how secured	307
Obstruction of avenues, etc.....	306
Open to public	297
Order and police	293
Plan	291
Plots—	
Purchase	302
Price	309
Title, how secured	307
Public use	290
Removal of bodies	303

CEMENTERIO DEL NORTE—Continued.

Superintendent—	Section.
Duties	301
Plan of cemetery	291
Trees, etc.—	
Planting	304
Removal	306

CEMETERIES:

Burial permits	266
Desecration	652
Establishment, etc., approval	282
Graves, depth of	284
Inspection	274
Location	281, 282
Niches, emptying	287
Overground tombs	285
Sanitary maintenance	283
Unhealthful; nuisance	809 (k)

CERTIFICATES OF DEATH 262, 263**CESSPOOLS:**

Condemnation	673
Construction	675
Design	674
Foreign substances	678
Inspection	179
Maintenance in inoffensive condition	679
Proximity to wells	674
Removal of contents, precautions	676
CHAFLANS	116

CHARCOAL:

Manufacture of, permit	536
------------------------------	-----

CHIMNEYS:

Construction	432
--------------------	-----

CHOLERA:

Captains of water craft, report	780
Food, unsafe, destruction	777
Prevention and suppression	777-782
Transportation of sick	778

CHURCHES:

Construction	420
Expectoration in, forbidden	768
Records, information from	798

CIRCUS PARADES:

Licenses	538, 539, 854
----------------	---------------

CISTERNS:

Closing of	754
Drainage into	752
Flushing	220

CITY ASSESSOR AND COLLECTOR.

(See ASSESSOR AND COLLECTOR, CITY.)

CITY ELECTRICIAN.

(See ELECTRICIAN, CITY.)

CITY ENGINEER.

(See ENGINEER, CITY.)

CITY WATER SUPPLY.

(See WATER SUPPLY.)

CLAY, LOADING 140**CLEANING EARS ON STREETS** 858

CLEANING ESTABLISHMENTS:	Section.
Licenses	524, 525
CLEANING GUTS	800
CLOSETS, WATER.	
<i>(See WATER-CLOSETS.)</i>	
CLUES:	
License	477, 478
COFFINS:	
Approval by Director of Health	271
COLLECTING AGENCY:	
Defined	531
License	532, 533
COLLECTOR OF CUSTOMS.	
<i>(See CUSTOMS, COLLECTOR OF.)</i>	
COLLISIONS:	
Street railway, precautions against	394-397
COLUMNS:	
Cast-iron, factors of safety	139
Defined	50
Iron or steel	155, 156
COMBUSTIBLE MATERIALS:	
Preservation and storage	425-430
COMMON HALL:	
Defined	60 (a)
COMPOSITE BUILDINGS	147
Defined	46 (b)
CONCRETE	132
Factors of safety	139
CONDEMNATION:	
Of pipes, fittings, etc.....	192
Proceedings	241
Water-closets	217
CONDEMNED FOODS:	
Removal	738
CONDUCTORS, STREET CAR:	
Duties	394, 401-405, 409
CONGESTION OF TRAFFIC	839
CONNECTIONS:	
Drainage pipes	200
Lead pipe and iron branches	212
Sewer system	193
Vent pipes	205
Water-closet	218
CONSTRUCTION OF ORDINANCES	8-11
CONTAINERS:	
Mosquito breeding; nuisance	809 (o)
CONTRACTS:	
Employment, copies to parties	575
CONVEYANCES:	
Disinfection	779
COOKING ON STREETS	856
COOLIES:	
Use of sidewalk	857
CORNER LOT:	
Defined	48 (b)
CORPSES:	
Carriage through streets	831
CORRALS:	
Air space	913

COURT:	Section.
Defined	51
COURT WAY:	
Defined	51 (e)
COURTYARD:	
Defined	51 (d)
Drainage	233
Measurement	229
COVERED WAYS	829
CREMATION:	
Animals	809 (p), 895 (j)
Permits, void, when	267
CREMATORIES:	
Inspection	274
CROSS ARMS ON POLES	353, 356, 365
Bracing	369
Dimensions	367
Spacing of pins	368
Terminal poles	370
CROSS WALL:	
Defined	86 (b)
CROSSINGS:	
Street railway	401
CRUELTY TO ANIMALS	616
CUBICLE OR ROOM:	
Defined	237
CULVERTS:	
Injury to	651
CURTAIN WALL:	
Defined	86 (c)
CUSTOMS, COLLECTOR OF:	
Vessels carrying explosives	428

D.

DAIRIES:	
Employees, health of	715
Light, ventilation, and drainage	711
Milch animals, inspection	724
Milk, examination	724
Milk venders, registry	722
Occupancy of premises	716
Registration	710
Sanitary maintenance	714
Sleeping in	721
Wash rooms and closets	713
Water supply	712
DANCE HALLS:	
License	479, 480
DANCING SCHOOLS:	
License	479, 480
DANGER LIGHTS:	
In streets	828
DANGEROUS COMMUNICABLE DISEASES:	
Animals—	
Condemnation	895 (f)
Cremation	895 (f)
Driving or selling	903
Notification of death	907
Report of	905
Running at large	904

DANGEROUS COMMUNICABLE DISEASES—Continued.	Section.
Application of provisions	760
Carriage of sick in public carriages prohibited	879
Case of, defined	763
Custody of bodies	279
Deaths from—	
Burial	268
Certificate	263
Notification	263
Removal of bodies	272
Defined	897
Disinfection	765
Of bodies	272, 276, 311
Disinterments of persons dead of	287
Evidence of	761
False statements	770
Funerals	276
Isolation of sick	762, 772
Markets, employees and vendors with	603
Notice of deaths from	263
Quarantine and segregation	771
Rats and vermin, destruction	769
Removal of dead	272
Removal of sick	761
Schools, attendance	781, 782
Smallpox, vaccination	773
Stables, regulations	906
Transportation of sick	778
DANGEROUS SUBSTANCES:	
Manufacture unlawful	647
DEAD:	
Burial of persons charged with	277-279
Carriage through streets	831
Containers for	271
Conveyance of, permit	269
Custody of body	279
Disinfection of bodies	272, 276, 311
Disinterment permits	286, 287
Disposal of	262-314
Fees	288
Failure to bury	278
Funerals	276
Transportation of bodies, fees	288
DEAD WALL:	
Defined	86 (<i>d</i>)
DEAD WIRES:	
Removal	340
DEATHS:	
Certificates of	262, 263
Prosecuting attorney to issue, when	262
From dangerous communicable diseases. (<i>See DANGEROUS COMMUNICABLE DISEASES.</i>)	
Suspicious	262, 264
DEFECTIVE ELECTRICAL APPARATUS:	
Arbitration of disputes	317
DEFINITIONS:	
Adulterated milk	746
Alley	37
Alterations	38
Appendages	41

DEFINITIONS—Continued.

	Section.
Arcade	42
Area	39
Assembly halls	60 (c), 421
Attic story	40
Balcony	43
Bay	44
Bay window	45
Bearing wall	86 (a)
Building	46
Building line	47
Building lot or site	48
Case of dangerous communicable disease	763
Cellar	49
Collecting agency	531
Columns	50
Common hall	60 (a)
Composite building	46 (b)
Corner lot	48 (b)
Court	51
Court way	51 (e)
Courtyard	51 (d)
Cross wall	86 (b)
Cubicle or room	237
Curtain wall	86 (c)
Dangerous communicable disease	897
Dead wall	86 (d)
Domestic animals	896
Engineer	52
Factor of safety	53
Ferry	497
Fire wall	86 (e)
First story	54
Footings	56
Foundation	55
Foundation wall	86 (f)
Garbage	687
Girder	58
Grade	57
Ground floor	59
Hall	60
Height of building	61
Height of story	63
Height of wall	62
Horse	869
Horse racing	560
Hotel	698
Incombustible material	67
Incombustible stud partition	66
Inner court	51 (a)
Inside lot	48 (d)
Inspector	64
Lawn	69
Length of building	70
Light-material buildings	46 (a)
Lintel	71
Load, building	72
Lodging houses	698
Lot line	68

DEFINITIONS—Continued.

	Section.
Masonry	73
Mercantile agency	530
Mixed-material building	46 (a)
Offensive trade or business or occupation.....	799
Offset	74
Open court	51 (b)
Open lot	48 (a)
Oriel window	75
Outer court	51 (c)
Owner	76
Panel	44
Partition	77
Party line	68
Party wall	86 (g)
Pawnbroker	540
Person	9
Pesos	9
Piers	78
Post	79
Private detective agency	481
Public carriage	870
Public cart	870
Public vehicle	870
Public warehouse	585
Recessed court	51 (f)
Repairs	80
Retaining wall	86 (h)
Roofing, incombustible	65
Rubbish	688
Secondary buildings	46 (c)
Show window	81
Skeleton construction	82
Stair hall	60 (b)
Street line	83
Strong-material buildings	46 (a)
Tenement house	699
Thickness of wall	86 (i)
Through lot	48 (c)
Unwholesome trade, business, or occupation.....	799
Vagrant	620
Vault	84
Veneer	85
Walls	86
Width of building	87
Yard	88

DEPARTMENT OF ENGINEERING AND PUBLIC WORKS.

(See ENGINEERING AND PUBLIC WORKS, DEPARTMENT OF.)

DEPARTMENT OF SANITATION AND TRANSPORTATION.

(See SANITATION AND TRANSPORTATION, DEPARTMENT OF.)

DEPARTMENTS, HEADS OF:

Regulations for carrying out ordinances.....	11
--	----

DETECTIVE AGENCIES, PRIVATE:

License	482-484, 485
---------------	--------------

DIRECTOR OF AGRICULTURE.

(See AGRICULTURE, DIRECTOR OF.)

DIRECTOR OF HEALTH.

(See HEALTH, DIRECTOR OF.)

DISEASED MEAT:	Section.
Sale	909
DISEASES, DANGEROUS COMMUNICABLE.	
(See DANGEROUS COMMUNICABLE DISEASES.)	
DISINFECTION:	
Dangerous communicable diseases—	
Bodies of dead	272, 276
Cases of	765
Conveyances, water craft, etc.....	779
Medical inspectors' powers	664, 665
Receptacles of fecal matter, etc.....	675, 678
Undertaking establishments	273
Vehicles, etc., for animal transportation	779, 895 (h)
Water craft	779, 895 (h)
DISINTERMENTS:	
Fees	288
Permits	286
Void, when	267
DISORDER:	
Prohibition	628
DISPUTES, ARBITRATION:	
Condemnation of electrical apparatus	317
DISTRICT OF LIGHT MATERIALS:	
Construction of buildings in	124
DISTRICT OF STRONG MATERIALS:	
Bamboo fences	123 (a)
Boundaries	121
Buildings—	
Construction and repair	122
Light material, repair permits	125
Matting, use of	123 (b)
Roofing, combustible	169
Sheds, temporary	123 (c)
DISTURBANCE OF LAWFUL ASSEMBLIES	628
DISTURBANCE OF THE PEACE	628
DOGS:	
Carriage on street cars forbidden	408
Collars with tags	489
Impounded, sale	25
Impounding	23-26
Killing	23, 26-28
License	486-490
Muzzling	489
Tags	489, 490
Taken into parks	927
Vicious, muzzling	26
DOMESTIC ANIMALS:	
Defined	896
DOORS, METAL	175, 176
DOWNSPOUTS AND GUTTERS	172
DRAFT ANIMALS:	
At large	29
DRAIN PIPE:	
Changes in size, fittings	198
Connections	200
House, slope of	197
Injury to public drains	651
Iron, cast—	
Trade-marks on	208
Weight	207

DRAIN PIPE—Continued.

Iron, wrought—	Section.
Size	209
Weight	209
Material and construction	195
Size	196
Tail-end pieces prohibited, when	198
Tapping	200
(See also SOIL PIPE.)	

DRAINAGE:

And ventilation, lack of; nuisance	809 (a)
Courts, air shafts, etc.....	233
House systems—	
Condemnation	225
Examination of plans	180
Laying of	191
Repairs and inspection	223
Inspection	179
Interference with flow of water	790
Into wells	752

DRAMATIC PERFORMANCES:

Permits	583, 584
---------------	----------

DRAYS.

(See CARTS, PUBLIC.)

DRESS, INDECENT	617
------------------------------	-----

DRINK.

(See FOOD AND DRINK.)

DRIVERS OF VEHICLES:

Name, etc., on demand	866
Qualifications and duties	865
Report of misconduct of	867

DRUNKENNESS	619
--------------------------	-----

DRYING ROOMS:

In factories	431
--------------------	-----

DWELLINGS.

(See BUILDINGS.)

DYEING ESTABLISHMENTS:

License	524, 525
---------------	----------

DYNAMITE:

Manufacture unlawful	647
Storage and license	493-496

DYNAMO SWITCH BOARD:

Inspection fee	324
----------------------	-----

E.

EARS:

Cleaning on streets	858
---------------------------	-----

EATING HOUSES:

Classes	566
Licenses	565-568
Approval of	565

ELECTRIC CURRENT:

Charges	374-379
Limit	375
Discrimination in service	376
Fraudulent devices	649
Sale	373-379
Service, order of	377
Shutting off	379
Tapping	649

ELECTRIC FANS:	Section.
Inspection, fee	324
ELECTRIC RAILWAYS.	
<i>(See STREET RAILWAYS.)</i>	
ELECTRIC SERVICE:	
Disputed bills	378
Shutting off electricity	379
ELECTRIC WIRES.	
<i>(See WIRES, ELECTRIC.)</i>	
ELECTRICAL APPARATUS:	
Certificate of inspection	322, 323
Condemnation, arbitration of disputes	317
Defective, removal	318
Injury to	649
Inspection	315, 316
Necessary before use	330
Installation permit	329
Lightning arresters	343
Protecting devices	337
To conform to National Electrical Code	336
ELECTRICAL CODE, NATIONAL:	
Adopted	336
ELECTRICAL INSTALLATIONS:	
Application for	332, 333
Concealment before inspection	334
Contractor's permit	536
Excavations, proviso	332
Placing of lines	338
Plans	332, 333
To conform to National Electrical Code	336
Voltage, limit	342
ELECTRICIAN, CITY:	
Arbitration of disputes	317
Badge, display of	320
Condemnation of electrical apparatus	316-319
Duties in general	315
Electric apparatus, inspection and certification before use	330
Electric installation—	
Application for	332, 333
Certificate of inspection	322, 323
Permit necessary	331
Electric plants, determination of capacity	377
Electrical systems, placing of lines, deviations	338
Fees, inspection and test	324-326
Fire department, senior electrician of, to be	315
Inspection of wires, poles, etc.	315, 316
Lightning arresters	343
Meters—	
Certificate of correctness	321
Inspection and test	321
List to	373
Testing	321-328, 378, 379
Poles—	
Bottom cross arms	356
Cross arms, size	365
Junction guying	357
Power and telephone wires on same pole	349
<i>(See also POLES, ETC.)</i>	
Power, approval of height	364
Removal	363
Telephone, dimensions	366

ELECTRICIAN, CITY—Continued.	Section.
Primary lines, special authority	344
Records of inspection	327
Reports, annual	328
Right to enter premises	320
Telephone service, supervision over	315
Transformers, location	345
Trees, trimming, to run wires	351
Wires—	
Additional loading	335
Inspection, etc.....	315, 316
Removal by	318
ELEVATORS:	
Defective	244, 245
Examination by person in charge.....	244
Inspection	243
Fee	108
Maximum load, plate showing	247
Permit to erect	242
Test	247
EMBALMERS:	
Duty	270
Inspection of establishments	274
License	491, 492
EMPLOYMENT BUREAUS:	
Contracts, copies to interested parties	575
License	572, 573
Record, inspection	574
ENACTMENT OF ORDINANCES	1-7
ENGINEER, CITY:	
Arcades, form of	117
Branches, "T Y," permission to use	213
Buildings—	
Certificate to owners	34
Deteriorated, removal	240
Entry and inspection of	33
Estimates, correction by	95
Final inspection before occupation.....	34
Inspection before removal	111
Lines and grades, marking	113
Moving or raising, fees	108
Notification by owner	34
Permits, fees	108
Plans—	
Filing	95
Retention by	98
Tests of materials	137
Unsafe	240, 241
Cementerio del Norte, plan	291
Certain hubs and branches, permission to use.....	213
Chafans, size and form	116
Condemnation of pipes, fittings, etc.....	192
Construction gangs, sanitary accommodations	105
Defined	52
Discretion	105
Drainage—	
Examination of plans	180
Inspection	179

ENGINEER, CITY—Continued.

Duties—	Section.
General	35
Plumbing and drainage	178
Elevators, inspection	243-246
Fees	108
Filling in lowlands, permit	791
House moving, permission	110, 111
Latrines, establishment	682
Markets, map	589
Mezzanine floors, maintenance	238
Nuisances, abatement of	793, 811, 812
Occupancy of streets	826
Offsets	214
Permits—	
Building	89-109
Applications	94
Consideration of applications	103
Fees	108
Issuance	107
Not required, when	104
Refused, when	35, 105, 106
Revocation	109
Void, when	93
Consideration of applications	103
Elevators	242
Excavations	90
Grading and paving streets	852
House moving	110, 111
Issuance	107
Obstructing streets	850
Pipes and conduits, laying	847
Revocation by	109
Sewer connections	91
Sewers, laying of	191, 194
Storing material on streets	849
Undermining streets	848
Water-main connections	91
Pipes and conduits, permit to lay	847
Plans, sanitary installation, furnishing	184
Plumbing—	
Alterations in system	182
Certificates of approval	224
Examination of plans	180
Inspection	179
Tests	223
Removal of buildings	834
Repairs, places for sale of food	745
Sewers—	
Condemnation	225
Connections with	193
Inspection	190
Laying	191
Location	189
Sidewalks, width and grade	115
Signs, erection of, fees	108
Soil tests for foundations	141
Streets—	
Grading or paving	852
Lines and grades, fees	120
Obstructions in	850

ENGINEER, CITY—Continued.

Streets—Continued.	Section.
Occupancy, fees	108
Plans for, on undivided property	119
Removal of obstructions	818, 820
Storing building material in	849
Undermining	848
Tanks and cisterns, installation ordered by	220
Theaters, fire apparatus	413 (q)
Unsafe buildings, report	241
Water-closets, condemnation or approval.....	217
Water pipes and sewers, space between	187
Water pipes, uncovering, for inspection of	188
Water supply—	
Contamination	758
Plans	181
Wells, sinking, permission	755
(See also BUILDINGS.)	

ENGINEERING AND PUBLIC WORKS, DEPARTMENT OF:

Barbed wire, removal	645
Street railways, grading and paving.....	843
Water meters, pattern	249
(See also BUILDINGS; ENGINEER, CITY.)	

ENGLISH LANGUAGE:

Ordinances to be enacted in	3
Text of ordinances	8

ENTERTAINMENTS:

Permits	583, 584
---------------	----------

EPIDEMIC:

Health, Bureau of, emergency powers	665
Inspection of premises	665

ESCOLTA:

Speed of street cars	391
Traffic regulations	860
Watchman of street railway	384, 385

ESTEROS:

Deposit of noxious substances in	788
Drainage into	752
Obstruction	784
Use of water	789

ESTUARIES:

Drainage into	752
---------------------	-----

EXCAVATIONS:

For electric installations, proviso	332
Street, permit	90

EXCRETA:

Collection and removal	672
Irrigation with, prohibited	739
Removal, precautions	676
Sale, etc.....	740
Vehicles for removal, cleaning	677

EXPECTORATION:

Forbidden, where	393, 768
------------------------	----------

EXPLOSIVES:

Carriage through streets	832, 833
Firing on streets	646
Flag, display of, when transporting	833
Manufacture, unlawful	647
Preservation	425
Storage and license	493-496
Storage, places for, revocation of license	430

F.

	Section.
FACTORIES:	
Air space	239
Drying rooms	431
Vent shafts	230
FACTORS OF SAFETY:	
Defined	53
Working stresses	139
FALSE MARKS ON MEAT	743
FANS, ELECTRIC:	
Inspection fee	324
FARCY:	
Report of cases	905
FARES, RATES OF:	
Carriages	876
Carts	882
FARO:	
Prohibited	625
FAT BOILING:	
Offensive	799
Permit	536
FEATHERS:	
Storing	536
FEEDING BOTTLES:	
Construction	751
FEES, LICENSES AND PERMITS.	
(See APPENDIX A.)	
FENCES:	
Bamboo	123 (a)
Barbed wire	644, 645
Permit for construction not necessary	104
Public, injury to	651
FENDERS, STREET CAR	382, 383
FERRIES:	
Defined	497
Permits	497-499
FERTILIZER:	
Manufacture, permit	536
FILLING IN LOW LAND:	
Prohibited substances	791
FIRE ALARM SYSTEMS:	
Misuse of	639
FIRE APPARATUS:	
Right of way	842, 844
FIRE DEPARTMENT:	
Chief of—	
Disconnection of wires	434
Electrician to report through, annually	328
Explosives—	
Carriage through streets	832
Establishment, storing, inspection	426-429
Inspection of containers	425
Licenses for, referred to	495
Vessels carrying	428
Factories, drying rooms	431
Hydrants, fire, inspection	261

FIRE DEPARTMENT—Continued.

Chief of—Continued.

Theaters—	Section.
Admission of firemen	419
Aisles and exits, approval	414
Fire apparatus, control over	413 (q), 415
Signs, location of	418
Smoking, permit	417
Senior electrician of, to be city electrician	315

FIRE HYDRANTS.

(See HYDRANTS.)

FIRE WALL:

Defined	86 (e)
---------------	--------

FIREARMS:

Discharge on streets	646
----------------------------	-----

FIRECRACKERS, ETC.:

Discharge on streets	646
----------------------------	-----

FIRES:

Disconnection of electric wires	434
---------------------------------------	-----

FIRST STORY:

Defined	54
---------------	----

FISH:

Drying or curing, permit	536
Fresh, sale, permit	500, 501
Unsafe, destruction, etc.....	777

FITTINGS.

(See PLUMBING.)

FLAG:

Display on vehicles carrying explosives	833
United States, use for advertising, prohibited	627

FLOORS:

Beams and joists	150, 151
Factors of safety	139
Skeleton frame	167

FLUSHING TANKS.....

220

FLUSHING WATER-CLOSETS, ETC.....

216

FOOD AND DRINK:

Adulteration	737
Animals unlawful to kill	734
Condemned, removal	738
Cooked, permit to sell	500, 501
Covering with screens	731
For animals	913
Veterinary inspection	895 (l)
Inspection	733
License for sale of	731
Meat—	
Diseased	909
False marks	743
Protection	736
Sale, unsafe food	735
Samples for examination	733
Sanitary maintenance of premises, etc.....	745
Unsafe, destruction	777
Unwholesome—	
Sale	735, 741
Seizure	744

FOOTING COURSES.....

143

FOOTINGS:

Defined	56
---------------	----

FORESTRY, BUREAU OF:	Section.
Tests of building material	139 (<i>l</i>)
FORTUNE TELLERS:	
License	502, 506
FOUL PLACES:	
Nuisance	809 (<i>e</i>)
FOUL SUBSTANCES:	
Irrigation with, prohibited	739
Sale, etc.....	740
FOUNDATION WALL:	
Defined	86 (<i>f</i>)
FOUNDATIONS:	
Building	141-144
Defined	55
Depth	144
Silty soil	142
FOUNDRIES:	
Permit	536
FOUNTAINS, PUBLIC:	
Bathing in or at	658
Water, how taken	657
FRAME STRUCTURES:	
Factors of safety	139
FRAMING:	
Details	149
Iron, connections	159
Iron or steel—	
Floor system	167
Inclosing	168
Proportioning	166
Riveting	160
FRATERNAL ORDERS:	
Exemption from license	477
FRUITS:	
Canning or preserving, permit	536
Covering or screening	731
Irrigation with foul substances	739
Sale, permits	500, 501
Unsafe—	
Destruction, etc.....	777
Sale	735
FUNERALS:	
Right to hold	276

G.

GAMBLING:	
Devices—	
Confiscation	624
Maintenance	621
Possession	622
Games of chance prohibited	625
House, frequenting	623
Penalty	624
GAME COCKS:	
Carriage on street cars	408

	Section.
GAMES IN STREETS	635
GARBAGE:	
Carriage through streets	831, 835
Collection of	692
Collector, interference with	693
Defined	687
Deposit in streets prohibited	851
Disposal	695
Interference with	693
Receptacles—	
Placing on sidewalk	691
Requirements	690
Wagons transporting	694
GARDEN TRUCK:	
Irrigation with foul substances.....	739
GASOLINE:	
Storage and license	493-496
GIRDER:	
Defined	58
GLANDERS:	
Report of cases	905
GLUE:	
Manufacture, permit	536
GOVERNMENT EMPLOYEES:	
Transportation of dead, fees not charged.....	288
GRADE:	
Defined	57
Street	112-120
GRADING OR PAVING STREETS:	
Permit	852
GRASS:	
Injury to	651
GRAVEL:	
Loading	140
GRAVES:	
Depth	284
Price	309
GROUND FLOOR:	
Defined	59
GROUNDS, FILLING IN:	
Prohibited substances	791
GUARD IRONS:	
On electric poles	372
GUNCOTTON:	
Storage and license	493-496
GUNPOWDER:	
Manufacture unlawful	647
Storage and license	493-496
GUTS, CLEANING:	
Business prohibited	800
Offensive	799
GUTTERS	172
Public, injury to	651
GUY WIRES:	
Construction	358

H.

HALL:	Section.
Defined	60
HARBOR:	
Drainage into	752
HAWKERS:	
License	507-511
Exception	507
Restrictions	861
HEADLIGHTS:	
Street car	386
HEALTH, BUREAU OF:	
Agents—	
Impersonation of	666
Inspection by	663-665
Sanitary orders	668
Bakeries—	
Inspection	717
Registration	710
Births, report to	797
Building plans to	98
Cafés, etc, license	565
Cementerio del Norte, administration	295
Dairies—	
Inspection	717
Registration	710
Dangerous communicable diseases—	
Custody of bodies	279
Disinfection	765
Notification of cases	762
Deaths—	
Certified to	262, 263
Notification of suspicious	264
Disposal of dead, fees	288
Dyeing and cleaning, permits	524
Eating houses, license	565
Food and drink, license for sale of	731
Food, unsafe, destruction	777
Hotel licenses	512
Inspection of premises	663-665
Interference with employees	774
Laundries—	
Inspections	717
Permits	524
Registration	710
Marriages, report to	796
Milk, examination	724
Milk venders, registry	722
Regulations, penalty for violations	813, 814
Restaurants, license	565
Tattooers, license	581
Tuberculosis, report to	766
Vital statistics, inspection of records for	798
Water supply, etc., plans filed with	181
HEALTH, DIRECTOR OF:	
Abatement of nuisances	810-812
Approvals by—	
Aërated water, source of supply	732
Cemeteries, establishment, etc	282
Closets, etc., design	674
Containers for removal of dead	271

HEALTH, DIRECTOR OF—Continued.

Approvals by—Continued.	Section.
Drainage into wells	752
Embalmers, licenses	491
Ground surfaces, paving	670
Licenses 491, 501, 512, 524, 565, 581, 807	
Lodging houses, repairs	701
Markets, construction of stalls	590
Permit, sale of food	501
Plans, sanitary installations	184
Tenement houses, repairs	701
Tuberculin test	747
Wells, sinking	755
Wire screens for food	731
Building sites	792
Buildings, sanitary maintenance	667-669
Burial at sea, permit	280
Burial grounds—	
Inspection	274
Location and maintenance	281-283
Burial permits by	265
Cementerio del Norte, removal of bodies.....	303
Cemeteries—	
Emptying of niches	287
Inspection	274
Location and maintenance	281-283
Cesspools—	
Design	674
Proximity to wells	674
Removal	675
Cisterns, closing	754
Closets, condemnation	673
Containers of dead bodies, disinfection.....	272
Conveyance of dead, permit	269
Crematories, inspection by	274
Dangerous communicable diseases—	
Burial of dead from, time limit.....	268
Declaration of	763
Disinfection	272, 765
Disinterments	287
Inoculation	764
Isolation of sick	772
Quarantine	771
Removal of sick	761
Schools, report	781
Transportation of sick	778
Death certificates, form of	263
Deaths from infectious diseases	263
Burials	268
Disinfection—	
Bodies	272
Undertaking establishments	274
Water craft infected with plague.....	779
Disinterments, permits	286, 287
Emergency, notice of	665
Filling in lowlands	791
Food and drink—	
Approval of permit	501
Inspection by	274
Samples	733
Unsafe, destruction	777

HEALTH, DIRECTOR OF—Continued.		Section.
Ground surfaces, repair		671
Insanitary premises, vacation		669
Inspections by—		
Burial grounds		274
Crematories		274
Food and drink		733
Hotels, etc		709
Milch animals		724
Morgues		274
Undertaking establishments		274
Vaults for reception of dead		274
Interference with		774
Latrines—		
Condemnation		673
Design		674
Public, location		682
Removal		675
Painting interiors		685
Licenses—		
Approval of	491, 501, 512, 524, 565, 581, 807	
Revocation		808
Lowlands, insanitary		793
Mezzanine floors		238
Morgues, inspection		274
Noxious substances, carriage of		787
Nuisances, abatement of		810-812
Offensive trades, etc—		
Care and cleaning of premises		801
Closure of premises		803
Light and ventilation of premises		805
Repairs to plant		802
Overcrowding—		
Hotels, etc		707
Notice		697
Plague—		
Buildings, repair		775
Disinfection of water craft		779
Sanitary maintenance of premises		667-669
Sanitary orders		668
Sterilizing water		756
Tanks, closing of		754
Undertaking establishments—		
Inspection		274
Sanitary conditions		273
Vaccination, requirements as to		773
Vehicles for conveyance of dead		269
Water closets—		
Condemnation		673
Design		674
Public, location		682
Removal		675
Water supply—		
Contamination		758
Supervision		757
Wells—		
Closing		754
Use of		753
HEATING APPARATUS, ELECTRIC:		
Inspection, fee		324

HEIGHT OF BUILDING:	Section.
Defined	61
HEIGHT OF STORY:	
Defined	63
HEIGHT OF WALL:	
Defined	62
HIDES:	
Dressing, etc., permit	536
HOGS:	
Yarding	800
HORSE:	
Construed	869
HORSE RACING:	
Defined	560
HORSES:	
Registration	862
Sale in streets	853
Washing on streets	856
HOSPITALS:	
Isolation of cases of dangerous communicable diseases	762
Treatment of inmates	794, 795
HOTELS:	
Bathrooms	702
Classes of	513
Counting of occupants	705
Defined	698
Fire escapes	424
Fireproof construction	424
Inspection	709
Kitchen, sleeping in	706
License	512-514, 700
Applications for	521
Approval by Director of Health.....	512, 807
Overcrowding	704, 705, 707
Register	522
Rooms, size of	703
Sanitary maintenance	708
Size of water connections	251
Staircases	424
Sterilized water	756
Water-closets	702
HOUSES:	
Fixtures for wires	360
Moving	108, 110, 111
Overcrowding	697, 704, 705, 707
Size of water connections	251
Ventilation under floor	231
(See also BUILDINGS.)	
HUCKSTERS:	
License	507-511
Exception	507
Restrictions	861
HYDRANTS:	
Breaking seal	659
Connections with	660
Injury to	651, 658, 660
Private	258
Repair and inspection	261

I.

	Section.
ICE CREAM PARLORS:	
Sterilized water	756
IMMORAL ACTS OR CONDUCT	617
IMPERSONATION OF:	
Health, Bureau of, agent of	666
Police, member of	638
INCANDESCENT LAMPS:	
Inspection, fee	324
INCOMBUSTIBLE MATERIAL:	
Defined	67
INCOMBUSTIBLE ROOFING:	
Defined	65
INCOMBUSTIBLE STUD PARTITION:	
Defined	66
INDECENT ACTS	617
INFLAMMABLE MATERIALS.	
(See EXPLOSIVES.)	
INNER COURT:	
Defined	51 (a)
INNS.	
(See HOTELS.)	
INOCULATION:	
Prophylactic	764
INSANE PERSONS:	
Treatment	794, 795
INSANITARY BUILDINGS:	
Vacation of	669
INSANITARY CONDITION OF PREMISES:	
Nuisance	809 (d)
INSECTS:	
Destruction	769
INSIDE LOT:	
Defined	48 (d)
INSPECTION:	
Electric installations	322, 323
Fees	324-326
Electrician, right to enter premises	320
Elevators	243-246
Plumbing, drainage, etc.	179
Water meters	254, 255
INSPECTOR OF BUILDINGS:	
Defined	64
INTELLIGENCE OFFICES:	
License	572, 573
Record, inspection	574
INTERMENT, PERMITS.	
(See BURIAL PERMITS.)	
INTOXICATION	619
INVOLUNTARY PERSONAL SERVICES	794
IRON:	
Cast	135
Factors of safety	139
Wrought	134
IRRIGATION:	
With foul substances	739
ISOLATION:	
Cases of dangerous communicable diseases	772
ITINERANT BARBERS	468

J.

JEWELRY:	Section.
Sale by auctioneer	466
JOINTS:	
Condemnation	192
Wrought-iron pipe	209
JOISTS:	
Floor and roof	150, 151
JUGGLERS:	
License	502-506
JUNCTION POLES	357
JUNK DEALERS:	
Purchases from minors	626
JUNK SHOPS:	
License	570
Lost or stolen goods, exhibit	571
JUSTICES OF THE PEACE:	
Report of marriages	796

K.

KIDS:	
Killing for food	734
Slaughter	917
KILLING ANIMALS	800
KITES:	
Flying in streets	635

L.

LA ELECTRICISTA:	
Placing of lines	338
LABELS:	
Prepared milk or cream	750
LAMBS:	
Killing for food	734
LAMPBLACK:	
Manufacture, permit	536
LANGUAGE:	
Abusive, etc.	628
LARD, BOILING:	
Offensive	799
Permit	536
LATRINES, PUBLIC:	
Defacing	686
Lighting	685
Location	682
Painting or whitewashing	684
Sanitary condition	683
Walls, painting, etc.	684
LAUNCHES:	
Gasoline as fuel	493
Privy accommodations	786
Report of disease on	780
Sanitary maintenance	785
Veterinary inspection	895 (a)
Water supply, charges	257
LAUNDRIES:	
Employees, health of	715
Licenses	524, 525
Light, ventilation, and drainage	711

LAUNDRIES —Continued.	Section.
Occupancy of premises	716
Registration	710
Sanitary maintenance	714
Wash rooms and closets	713
Water supply	712
LAWN:	
Defined	69
LEMONADE STANDS:	
Sterilized water	756
LENGTH OF BUILDING:	
Defined	70
LEPERS:	
Arrest and detention	783
LICENSES:	
Aerobats	502-506
Advertising agents	460-462
Applications—	
Contents	439
When made	440
Approval by Director of Health.....	491, 501, 512, 524, 565, 581, 807
Auctioneers	463-465
Automobiles	558, 559
Bakeries	807
Barbers	467-469, 807
Bath houses	807
Bill posting	460-462
Boarding houses	518-521, 807
Boarding stables	472-474
Bowling alleys	475, 476
Cafés	565-568
Carinderias	565-568
Carriages, public	558, 559
Carts, public	558, 559
Chiropody, practice of	807
Circuses, parades	538, 539, 854
Cleaning establishments	524, 525, 807
Clubs	477, 478
Collecting agencies	530-533
Combustibles, establishments for storage	493-496
Contents	442
Dairies	807
Dance halls	479, 480
Dancing schools	479, 480
Dangerous trades, etc.....	807
Dermatological offices	807
Detective agencies	481-485
Dogs	486-490
Drink, sale of	731
Duplicate	446
Dyeing establishments	524, 525, 807
Eating houses or places	565-568
Embalmers	491, 492, 807
Employment bureaus	572, 573
Expiration of	448
Explosives, establishments for storage	493-496
Fees. (See APPENDIX A.)	

LICENSES—Continued.

Section.

Food, sale of	731, 807
Fortune tellers	502-506
Hairdressing parlors	807
Hawkers	507-511
Health, Director of, approvals by	491, 501, 512, 524, 565, 581, 807
Horse racing	560-564
Hotels	512-514, 521, 698, 700, 807
Hucksters	507-511
Intelligence offices	572, 573
Issuance—	
By city assessor and collector	437
Duplicate	446
Itinerant barbers	468
Jugglers	502-506
Junk shops, keepers of	570
Laundries	524, 525, 807
Livery stables	526-529, 807
Lodging houses	515-517, 521, 698, 700, 807
Loss, duplicate	446
Massage parlors	807
Menageries, parades	538, 539, 854
Mercantile agencies	530-533
Merry-go-rounds	534, 535
Necessary	436
Offensive trades, etc.	807
Parades	538, 539
Peddlers	507-511, 807
Plumbers	553-557
Posting	445
Production on demand	445
Public vehicles	558, 559
Race meetings	560-564
Race tracks	560-564
Rebates	449
Record by city assessor and collector	438
Refused, when	444
Renewal	448
Restaurants	565-568
Revocation	444, 451, 808
Saloons	807
Sanitary requirements, nonexemption	450
Separate for different business, etc.	443
Shipping offices	572, 573
Shooting galleries	576-578
Slot machines	579, 580
Street advertising	460-462
Surrender	445
Tattooers	581, 582
Tenement houses	699, 700, 807
Term	441
Transfer	447
Undertaking establishments	807
Vehicles, public	558, 559
Warehouses, public	585, 587

LIGHT AND VENTILATION:

Buildings	227-239
-----------------	---------

LIGHT-MATERIAL BUILDINGS:	Section.
Defined	46 (a)
LIGHT MATERIALS, DISTRICT OF.	
(See DISTRICT OF LIGHT MATERIALS.)	
LIGHTERS:	
Privy accommodations	786
Report of disease on	780
Sanitary maintenance	785
LIGHTNING ARRESTERS	343
LIGHTS:	
At street obstructions	822
Bicycle	868
Vehicle	864
LIME	130
Permit to manufacture	536
LIMITATION OF ACTIONS:	
Provisions of	935
LINTEL:	
Defined	71
LIVERY STABLES:	
Foul, penalty	529
Licenses	526-528
Revocation	529
Schedule of rates, posting	871
LIVING ROOM:	
Air space	239
LOAD, BUILDING:	
Defined	72
LOADS ON SOILS	140
LODGING HOUSES:	
Bathrooms	702
Classes of	515-517
Counting of occupants	705
Defined	698
Inspection	709
Kitchen, sleeping in	706
License	515-517, 700
Application for	521
Overcrowding	704, 705, 707
Register	522
Rooms, size of	703
Sanitary maintenance	708
Water-closets	702
LOT LINE:	
Defined	68
LOTS:	
Occupancy of site	227, 228
LOWLANDS:	
Abatement of nuisances	793
Filling in	791
LUMBER	133
Dressing on public property	825
Tests by Bureau of Forestry	139 (I)
LUNETA:	
Vehicles allowed on	859
LYE MAKING:	
Offensive	799
Permit	536

M.

MAIL SERVICE:	Section.
Right of way	844
MANILA BAY:	
Burials in, forbidden	280
MANILA ELECTRIC RAILROAD:	
Placing of lines	338
(See also STREET RAILWAYS.)	
MANILA TELEPHONE COMPANY:	
Placing of lines	338
MANUFACTORIES:	
Size of water supply	251
MANURE:	
Nuisance	809 (<i>h</i>)
MARKETS:	
Articles allowed to be sold	602
Assignments to stalls	600, 601
Changes in	601
Tags	601
Begging in, prohibited	605
Collectors—	
Badge or uniform	610
Detail	610
Duties	611
Disorderly conduct in	629
Drainage	590
Employees and vendors, health of	603
Employees, obstruction of	606
Establishment and maintenance	588
Exhibits, use of	610
Hours	595
Lighting	590
Loafing prohibited	605
Location and extent	589
Loss by fire, etc., responsibility	608
Maintenance of order	629
Merchandise—	
Allowable	602
Exposure for sale	597
Manner of exposing	596
Passageways kept clear	604
Paving	590
Peddling in, prohibited	604
Police, duty of	615
Punch tickets	610
Receipts, form of	610
Refuse	614
Removal of persons from	607
Rent—	
Collection	611
Failure to pay	612
Rules and regulations—	
Enforcement	594
Posting	594
Sanitary maintenance	592
Sections, assignment to	598
Shanties, prohibited	613

MARKETS—Continued.

Stalls—	Section.
Assignments	600, 601
Tags	601
Changing structure of	599
Construction	590
Numbering	591
Rates, determination	609
Rent, failure to pay.....	612
Responsibility of holders	608
Structures prohibited	613
Ventilation	590

MARRIAGES:

Report of	796
-----------------	-----

MASONRY:

Defined	73
---------------	----

MASTER PLUMBERS:

Bonds	555
Certificate of approval	224
Examination	554
License	553-555
Qualifications	554
Sewer connections, permit	91
Sign, display of	556
To uncover pipes, when	188
(See also PLUMBING.)	

MATCHES:

Manufacture, permit	536
Storage and license	493-496

MATERIALS, STRUCTURAL:

Tests	137
-------------	-----

MATTING:

Use in buildings	123 (b)
------------------------	---------

MEAT:

False marks	743
Marking at slaughterhouse	742
Protection of	736
Sale, permit	500, 501
Unlawful	734, 735
Unsafe, destruction, etc	777

MEDICAL INSPECTORS:

House inspection	663-665
Powers	663-665

MENAGERIE PARADES:

License	538, 539
---------------	----------

MERCANTILE AGENCY:

Defined	530
License	532, 533

MERCHANDISE:

Sale on streets	853
-----------------------	-----

MERRY-GO-ROUNDS:

License	534, 535
---------------	----------

METERS, ELECTRIC:

Altering, etc., certificate on.....	648
Certificate of correctness	321
Charges	374-379
Limit	375
Inspection and test	321

METERS, ELECTRIC—Continued.	Section.
List of, to city electrician	373
Tampering with	649
Testing	377-379
METERS, WATER:	
Connections, provided with	249
Controlled by office of water supply.....	249
Examination	254
Reading	255
Repairs	249
Sealing	249
MEZZANINE FLOORS	238
MICE:	
Destruction of	769
MIDWIVES:	
Report of births	797
MILCH ANIMALS:	
Inspection	724
Tuberculin test	747
MILITARY EMPLOYEES:	
Transportation of bodies	289
MILK:	
Adulterated, defined	746
Analysis, certificate	749
Bottles, infant, construction of	751
Pasteurized, sale	747
Prepared—	
Label	750
Sale	748-750
Receptacles	723
Sterilized, sale	747
Tuberculin test	747
Venders, registry of	722
MINORS:	
Billiard or pool rooms, prohibition.....	626 (c)
Employment by pawnbrokers	626 (b)
Purchase of articles from	626 (a)
MISDEMEANORS:	
Penalty	930
(See also PENALTIES.)	
MIXED-MATERIAL BUILDINGS:	
Defined	46 (a)
MORGUES:	
Inspection	274
MORTAR BEDS:	
On streets	827
MOTOR, ELECTRIC:	
Inspection, fee	324
MOTORMEN:	
Duties	394-401
MUNICIPAL BOARD:	
• Approvals by—	
Billiard and pool table permits	470
Markets—	
Collectors, detail	610
Rules and regulations	594
Regulations, city departments	11
Street-car fenders, type of	382, 383

MUNICIPAL BOARD—Continued.

Section.

Arcades	117
Banners and transparencies, display on streets	855
Cementerio del Norte—	
Appeals from superintendent of	293
Information as to	294
City electrician, reports	328
Condemnation, unsafe structures	241
Dogs, nuisances, declaration as	28
Fire department, chief of, report, etc., establishments for explo- sives	429
Horses, sale on streets	853
Licenses—	
Parades on streets	854
Term less than regular period	441
Markets—	
Designation	589
Rates for stalls	609
Master plumber, board for examination of	554
Musical instruments, playing on streets	855
Offensive businesses, district of strong materials.....	536
Ordinances—	
Enactment	1-7
Violations	930
Parades—	
Advertising	855
Circuses	854
Permits—	
Advertising on streets	855
Horses, selling in streets	853
Merchandise, selling in streets	853
Term less than regular period	441
Vehicles, selling in streets	853
President of, signature of ordinances by	5
Private detective agencies, qualification of person managing.....	484
Public pound, locality	12
Public vehicle stations, designation	881
Revocation—	
Billiard and pool tables, permit.....	471
Private detective agency, license	485
Shooting galleries, license	578
Secretary of—	
Copies of records, fees	928
Deposit	929
National Electrical Code, filing	326
Ordinances, signing, recording, indexing	5
Sidewalks, width	115
Street cars—	
Attaching together	389
Fenders	382
Street lines and grades, establishment	112
Vehicles—	
Regulations	894
Sale on streets	853

MUNICIPAL PHYSICIANS:

Death certificates by	262
-----------------------------	-----

MUSICAL INSTRUMENTS:

Playing on streets	855
--------------------------	-----

N.

NAPHTHA:	Section.
Storage and license	493-496
NATIONAL ELECTRIC CODE:	
Adopted	336
NIGHT SOIL:	
Removal, precautions	676
(See also EXCRETA.)	
NITROGLYCERIN:	
Storage and license	493-496
NOXIOUS SUBSTANCES:	
Carriage on vessels	787
Carriage through streets	831, 835
Deposit in streets, etc.; nuisance	809 (n)
Filling in lowlands with, prohibited	791
Nuisance, when	809 (i)
NOXIOUS TRADES:	
Nuisance, when	809 (j)
NOZALED, CALLE:	
Speed of street cars	391
NUISANCES:	
Abatement of	810-812
Acts dangerous to health	809 (q)
Cesspools, insanitary	675
Complaint to prosecuting attorney	812
Defined	809
Dogs, disposal of	28
Foul livery stables	529
Notice to person responsible	811
What constitute	809
NURSING BOTTLES:	
Construction	751

O.

OBSCENE ADVERTISING	618
OBSCENE LITERATURE, ETC.	617
OBSTRUCTION:	
Fire-alarm systems	639
Street railway	640, 641
Streets	635, 815, 818-820, 822
Waterways	784
OCCUPANCY OF BUILDING SITES	227, 228
OFFAL, BOILING:	
Offensive	799
OFFENSES AGAINST PUBLIC MORALS:	
Advertising—	
Obscene	618
United States flag, use for	627
Cruelty to animals	616
Drunkenness	619
Gambling	621-625
Devices	621, 622, 624
Faro	625
Games of chance	625
House, frequenting	623
Roulette	625
Indecent acts	617

OFFENSES AGAINST PUBLIC MORALS—Continued.		Section.
Indecent exposure		617
Intoxication		619
Language, insulting, etc.....		617
Minors—		
Billiard or pool rooms, prohibition	626 (c)	
Employment by pawnbrokers	626 (b)	
Purchase of articles from	626 (a)	
Obscene advertising		618
Obscene pictures, etc.....		617
Plays, immoral		617
Prostitutes		620
Prostitution, houses of		620
Vagrancy		620
United States flag, use for advertising		627
OFFENSES AGAINST PUBLIC PEACE:		
Abusive language		628
Assaults		628
Assemblies, disturbance of		628
Auctions, bells and criers at		631
Bells, ringing of	631-634	
Breaches of the peace		628
Congregations, disturbance of		628
Markets, order in		629
Police—		
Assisting person to escape from		630
Resisting		630
Riots		628
Whistles, blowing of	632-634	
OFFENSES AGAINST PUBLIC SAFETY:		
Barbed-wire fences	644, 645	
Baseball in streets		635
Dynamite, manufacture unlawful		647
Explosives, etc., manufacture unlawful		647
Fire-alarm system, misuse and obstruction		639
Firecrackers, firing		646
Flying kites in streets		635
Games in streets		635
Gunpowder, manufacture unlawful		647
Obstruction of street railways	640, 641	
Police—		
Alarm system, misuse and obstruction		639
Impersonating		638
Wearing uniform, etc., of		638
Racing		637
Speed limit on streets		636
Street railways, obstruction	640, 641	
Streets—		
Barbed wire	644, 645	
Firecrackers, firing		646
Games in		635
Racing		637
Speed limit		636
Throwing stones		642
Throwing water into		643
Weapons, carrying or firing		646
Throwing stones		642
Throwing water into streets		643
Weapons, carrying or firing		646

OFFENSES AGAINST PROPERTY:	Section.
Cemeteries, desecration	652
City property, injuring, etc	651
Defacing bills	656
Desecrating graves, etc., in cemeteries	652
Electric apparatus, injuring	649
Electric current, tapping	649
Electric meters—	
Altering, etc	648
Injuring	649
Fountains—	
Bathing in or at	658
Water, how taken	657
Hydrants—	
Breaking seals of	659
Destruction or removal	658
Injuring	660
Parks, unlawful acts in	653
Poles and wires, telephone, etc., interference with	650
Posting bills—	
Private property	655
Public buildings	654
Telegraph poles, etc	654
Property in streets, interference	650
Scattering bills	654
Tapping electric current	649
Water supply—	
Fire hydrants, breaking seals of	659
Injuring property of	658
Meters, breaking seals of	659
Post hydrants, injuring	660
OFFENSIVE SUBSTANCES.	
<i>(See NOXIOUS SUBSTANCES.)</i>	
OFFENSIVE TRADE, BUSINESS, OR OCCUPATION:	
Closing of establishments	803
Definition	799
Night regulations	804
Permits	536, 537
Premises—	
Care of	801
Concreting floors	805
Light, ventilation, etc	805
Repairs, etc	802
Storing of materials	806
OFFICES:	
Air space	239
OFFSET:	
Defined	74
OIL, MANUFACTURE:	
Permit	536
OPEN COURT:	
Defined	51 (b)
OPEN LOT:	
Defined	48 (a)
OPERA HOUSE.	
<i>(See THEATERS.)</i>	
ORDINANCES:	
Amending, procedure for	4
Construction of	8-11
Effective date	7

ORDINANCES --Continued.		Section.
Enacting clause		2
Enactment of		1-7
English text governing		8
Indexing of		5
Language		3
Passed since June 30, 1908, effect.....		937
Publication of		6
Recording of		5
Regulations for carrying into effect.....		11
Repeal of repealing ordinance.....		10
Repealed		932
Accrued rights unaffected		933
Exceptions		932
Prosecutions and punishments under		934
Revised--		
Arrangement in sections		936
Effective date		938
What constitute		931
Sealing of		5
Signing of		5
Title		1
ORIEL WINDOW:		
Defined		75
OUTER COURT:		
Defined		51 (c)
OVERCROWDING:		
Hotels, etc	704, 705,	707
Notice		697
OWNER:		
Defined		76
P.		
PACO CEMETERY:		
Rent of niches		288
PAIL SYSTEM:		
Collection of excreta		672
PAINTING:		
Structural metal work		164
PANEL:		
Defined		44
PARADES:		
Advertising		855
Circus		854
Licenses		538, 539
PARCELS:		
Left in vehicles		891
PARKS, PUBLIC:		
Dogs taken into		927
Flower beds, walking upon		926
Purposes		924
Riding or driving in		925
Trespassing in		926
Unlawful acts		653
PARTITION:		
Defined		77
PARTITIONS:		
Stud		66, 153

PARTY LINE:	Section.
Defined	68
PARTY WALL:	
Defined	86 (g)
PAUPERS:	
Burial of	308
PAWNBROKERS:	
Admission of police	545
Bonds	542
Closing of business	551
Defined	540
Memoranda to pledgors	546
Memoranda to police	547
Minors, employment of	626
Notice of sale of jewelry	550
Permit	541
Pledges—	
Disposal	549
Record	544
Responsibility for employees	552
Sale of jewelry	550
Sign, display	543
Stolen articles, notification of police	548
PEACE, BREACHES OF	628
PEDDLERS:	
License	507-511
Restrictions	861
PENALTIES:	
Acrobats	506
Auctioneers, sale of jewelry	466
Buildings—	
Insanitary condition	669
Violation of regulations	36
Bundles, objectionable, street cars	404
Burial of dead	813, 814
Cleaning and painting, street cars	392
Combustibles	430
Dead disposal of	813, 814
Violations of regulations	314
Dogs, vicious, muzzling	26
Electrical apparatus—	
Defective, failure to remove	319
Inspection	330
Expectoration, street cars	393
Explosives	430
Feet, placing of, street cars	393
Fenders, street car, failure to provide	383
Fortune tellers	506
Fountains, public, water from	657
Gambling	624, 625
General	930
Hawkers	511
Health regulations	813, 814
Hucksters	511
Hydrants, post, interference with	660
Insanitary conditions, buildings, etc	669
Jugglers	506
Licenses	451
Livery stables, foul	529

PENALTIES—Continued.

Section.

Locks and apertures for iron shutters, etc., failure to provide	177
Metal blinds, etc., provisions	177
Meters, breaking	659
Misdemeanors	930
Muzzling vicious dogs, failure	26
Objectionable bundles, street cars	404
Obstruction, street railways	640
Pawnbrokers	552
Peddlers	511
Penalty, general	930
Permits	459
Post hydrants, interference with	660
Street cars—	
Bundles, objectionable	404
Cleaning and painting	392
Expectoration on	393
Feet, placing of	393
Leaving left side	410
Obstruction	640
Safety guards, failure to provide	383
Signs, failure to provide	388
Transfers, acceptance by conductor	403
Transfers, unlawful use	411, 412
Vagrancy	620
Veterinary regulations	813, 814
Watchmen, stationing and signals	385
Water supply, injury to	658

PENS:

Air space of	913
--------------------	-----

PERISHABLE FOODS:

Screening	731
-----------------	-----

PERMITS:

Applications	453
Billiard tables	470, 471
Bodies, transportation of	269, 288, 289
Bones, crushing, storing, etc.	536, 537
Brick, manufacturing	536, 537
Building	89-109
Applications	94
City engineer not to grant, when	35
Encroachments on streets	824, 826
Fees	108
Issuance	107
Light material, alteration	125
Refused, when	105, 106
Repairs, not required for, when	104
Revocation	109
Void, when	93
Burials	265-267, 288
At sea	280
Cemeteries, establishment, etc	282
Charcoal, manufacturing	536, 537
Contents	455
Cremation—	
Human remains	265
Landing animals for	895 (j)
Dangerous businesses	536, 537
Disinterments	286-288

PERMITS—Continued.

	Section.
Drink, sale of	500, 501
Duplicate	456
Dyeing	536, 537
Electric light and power systems, installation, etc	331, 332
Electrical construction, interior	331, 333
Electrical installation, contractors for	329, 536, 537
Elevators	242
Expiration	457
Explosives, vessels carrying, landing	428
Fat, tallow, or lard, boiling	536, 537
Fees. (<i>See</i> APPENDIX A.)	
Ferries	497-499
Fertilizer, manufacturing	536, 537
Fish, drying or curing	536, 537
Food, sale of	500, 501
Foundries	536, 537
Fruit, canning or preserving	536, 537
General consideration	452-459
Glue, manufacturing	536, 537
Gratuitous, when	287, 288
Hides and skins, tanning or dressing	536, 537
House moving	111
Lampblack, manufacturing	536, 537
Lime, manufacturing	536, 537
Limitations	455
Loss	456
Lye making	536, 537
Matches, manufacturing	536, 537
Not assignable	455
Not transferable	455
Offensive businesses	536, 537
Oil, manufacturing or boiling	536, 537
Pawnbrokers	540, 541
Pool tables	470, 471
Posting	458
Pottery, manufacturing	536, 537
Record	454
Renewal	453, 457
Second-hand dealers	569
Sewer connections	91
Smoking in theaters	417
Soap making	536, 537
Stock yards	536, 537
Stones, shells, etc., crushing, grinding, or burning	536, 537
Streets—	
Advertising on	855
Conduits	847
Encroachments on	824, 826
Excavations in	90
Grading	852
Horses, etc., selling in	853
Merchandise, etc., selling in	853
Obstructions	850
Paving	852
Pipes	847
Storing materials	849
Undermining	848
Vehicles, selling in	853

PERMITS—Continued.	Section.
Sugar, boiling or refining	536, 537
Surrender	458
Tar, manufacturing	536
Telegraph systems, installation, etc	331, 332
Telephone systems, installation, etc	331, 332
Theaters	417, 583, 584
Turpentine, manufacture	536, 537
Varnish, manufacturing or boiling	536, 537
Water-main connections	91
PERSON:	
Construed	9, 435
PESOS:	
Construed	9
PETROLEUM:	
Storage and license	493-496
PHYSICIANS:	
Autopsies, right to witness, when	263
Births, report of	797
Municipal, death certificates by	262
Notice of dangerous communicable diseases.....	762
Tuberculosis—	
Enforcement of sanitary regulations	767
Report of	766
PICTURES:	
Indecent	617
PIERS:	
Defined	78
PIGS:	
Killing for food	734
PILING	141
Tests of soil	141
PIPE RUNS	214
PIPES:	
Bends and branches	211
Condemnation	192
Drainage—	
Iron, cast—	
Trade-mark on	208
Weight	207
Iron, wrought—	
Size	209
Weight	209
Passing under walls	199
Slope	197
Tapping	200
Fittings, weight, etc.....	210
Permit to lay	847
Refrigerator, waste	221
Service, uncovering	188
Soil and drainage—	
Material and construction	195
Size	196
Water—	
Lead, class and weight	186
Space between, and sewers	187
Underground	185
PITCH:	
Storage and license	493-496

PLAGUE:	Section.
Alterations, etc., of buildings	775
Captains of water craft, report	780
Transportation of sick	778
PLANS, BUILDING:	
Required for permit	96-102
PLAYS, IMMORAL	617
PLUMBERS.	
(See MASTER PLUMBERS.)	
PLUMBING:	
Alterations, approval	182
Bands prohibited	213
Branches prohibited	213
Certificate of approval	224
Hubs prohibited	213
Inspection	179
Inspection and test	223
Offsets, permission to construct	214
Peppermint test	223
Plans, examination	180
Raymond ferrule	212
Saddles prohibited	213
Sleeves prohibited	213
Thimbles, recessed brass	212
Traps	201-203
Verbal permissions	226
Work by other than licensed plumber	557
POLES:	
Electric light and power—	
Condemnation	316-319
Cross arms—	
Dimensions	365
Framing for	353, 356
Of different persons	362
Defective, removal	318
Description and location	351
Dimensions	364
Framing	353, 359
Height	364
Inspection	315, 316
Interference with	650
Junction	357
Pins, wood	354
Porcelain knobs and cleats	355
Power and telephone wires on same pole.....	349
Removal	363
Setting in ground	352
Telephone and telegraph—	
Branch arms	371
Cross arms—	
Bracing	369
Dimensions	367
Spacing of pins	368
Dimensions	366
Guard irons	372
Number of wires	348
Power and telephone wires on same pole.....	349
Terminal, cross arms	370

POLICE:	Section.
Alarm systems, misuse	639
Animals sick with dangerous communicable diseases; report.....	905
Cartage controversies	883
Chief of—	
Danger lights on streets	828
Overcrowding in hotels, notice	707
Pawnbrokers, daily report to	547
Property, return of	661
Congestion of street	839
Deaths, suspicious, notification	264
Dogs—	
Killing of	26, 27
Impounding	23
Duty	662
Employment bureau, inspection of books.....	575
Goods lost or stolen, exhibit	571
Impersonating	638
Inspection of, hotel and lodging house registers.....	523
Junk shop, keepers of, lost or stolen goods.....	571
Lepers, arrest of	783
Markets—	
Duty as to	615
Removal of persons	607
Misconduct of drivers, report to.....	867
Pawnbrokers—	
Admission of	545
Lost or stolen articles, notification.....	548
Property in hands of	661
Rescue from custody	630
Resistance to member	630
Second-hand dealers, lost or stolen goods.....	571
Shipping and intelligence offices, inspection of books	574
Stopping of street cars	395
Street cars, stopping of	395
Streets—	
Maintenance of ordinances	821, 823
Obstructions, removal of	820
Vehicles—	
Complaints	892
Disputes as to fares	892
Parcels left in	891
Supervision over drivers of	836
Suspension of license	889
POLICE POWERS:	
Officers of department of sanitation and transportation	30
PONDS:	
Drainage into	752
PONTOON BRIDGE:	
Permit	497
POOL ROOMS:	
Minors, prohibition	626
POOL TABLES:	
Permits	470
Revocation	471
PORCHES:	
Design	154

POST:	Section.
Defined	79
POST HYDRANTS.	
(See HYDRANTS.)	
POSTERS:	
Defacing	656
Name of agent on	462
Private buildings	655
Public buildings	654
POSTING BILLS:	
On private property	655
Public buildings and property	654
POTTERY MANUFACTURE:	
Permit	536
POUND, PUBLIC.	12-22
Establishment and maintenance	12
Notice, publication of	17
Redemption of animals	19
Sale of animals	17-21
POUNDKEEPER:	
Appointment	13
Duties	14, 16, 17, 18, 20, 25
Obstruction of	22
Statement to Auditor	20
Statements to city assessor	18, 20
PREMISES, INSANITARY:	
Vacation	669
PREPARED MILK:	
Certificate of analysis	749
Sale	748
PRIMARY LINES.	344
PRIVATE DETECTIVE AGENCIES:	
Defined	481
License	482, 484, 485
PRIVIES.	
(See WATER-CLOSETS.)	
PROFESSIONS, ETC., PERMITS.	
(See PERMITS.)	
PROJECTIONS OVER STREETS.	117
PROPERTY:	
City, injury, etc.	651
In hands of police	661
Undivided, erection of buildings on	119
PROPHYLATIC INOCULATIONS.	764
PROSECUTING ATTORNEY:	
Complaint of nuisances to	812
Death certificates	262
Deaths, suspicious	262, 264
Overcrowding in hotels, etc.	707
PROSECUTIONS AND PUNISHMENTS:	
Unaffected by repeal of ordinances	934
PROSTITUTION:	
Houses of	620
PROTECTION DEVICES:	
For electrical apparatus	337
PUBLIC CARRIAGE:	
Construed	870
PUBLIC CART:	
Construed	870

PUBLIC PARKS:

(See PARKS, PUBLIC.)

PUBLIC VEHICLE:

Section.

Construed 870

(See also CARRIAGES; VEHICLES.)

PUBLICATION:

Of ordinances 6

Of pound notice 17

Q.**QUARANTINE:**

Animals 895 (c)

Subsistence 900

Dangerous communicable diseases 771

QUICKSAND:

Loading 140

QUILEZ.

(See CARRIAGES, PUBLIC.)

QUINTA MARKET 588-615

Receipt, form of 610

R.**RACE MEETINGS:**

Defined 560

License 564

RACE TRACKS:

Illegal racing 563

License 561-564

RACING:

On public streets 637

RAILWAY CARS:

Disinfection 895 (h)

RAIN-WATER LEADERS 222**RATES:**

Carts 882

Livery-stable, schedule 871

Public carriages 876

RATS:

Buildings infested with; nuisance 809 (c)

Destruction 769

Traps and poison 776

REBATES, LICENSES 449**RECEPTACLES:**

Mosquito breeding; nuisance 809 (o)

RECESSED COURT:

Defined 51 (f)

RECORD OF ANIMALS IMPOUNDED 16**RECORDS, CITY:**

Copies of, fees 928

Deposit 929

REFRIGERATORS:

Waste pipes of 221

REFUSE:

Nuisance 809 (h)

REGISTRY:

Milk venders 722

REGULATIONS:	Section.
For carrying ordinances into effect	11
REPAIRS:	
Defined	80
REPEAL OF ORDINANCES.	
(See ORDINANCES, REPEALED.)	
REPEAL OF REPEALING ORDINANCE	10
REPEAL PROVISIONS	931-938
RESIN:	
Storage and license	493-496
RESISTING MEMBER OF POLICE FORCE	630
RESTAURANTS:	
Classes	566
Licenses	565-568
Approval of	565
Sterilized water	756
RETAINING WALL:	
Defined	86 (<i>h</i>)
REVISED ORDINANCES:	
What constitute	931
(See also ORDINANCES.)	
RIGHT OF WAY:	
Street railways	844
Streets	842, 844
RIGHTS, ACCRUED:	
Unaffected by repeal of ordinances.....	933
RIOTS	628
RIVERS:	
Deposit of noxious substances in	788
Drainage into	752
Use of water	789
RIVETING:	
Iron framing	160
ROOF STRUCTURES:	
Use for wires	361
ROOFING, INCOMBUSTIBLE:	
Defined	65
ROOFS:	
Beams and joists	150, 151
Combustible	169
Construction	170, 171
Gravel, etc.....	170
ROOM OR CUBICLE:	
Defined	237
ROOMS:	
Height of	234
ROSARIO, CALLE:	
Speed of street cars	391
ROULETTE:	
Prohibited	625
RUBBISH:	
Collection	692
Defined	688
Deposit in streets prohibited	851
Disposal	695
Receptacles for	689
Placing on sidewalk	691
RULE OF THE ROAD	841

S.

SAILORS:	Section.
Transportation of bodies	289
SALOONS:	
License	807
Sterilized water	756
SAMPALOC MARKET	588-615
SAND	129
Loading	140
SANITARY INSPECTORS:	
House inspection	663
SANITARY INSTALLATIONS:	
Gratuitous plans	184
Removal of filth, receptacles	183
SANITARY MAINTENANCE:	
Bakeries	714
Buildings, etc	667
Cemeteries	283
Dairies	714
General	667
Hotels, etc	707
Latrines	679, 683, 684
Laundries	714
Places of sale, etc., of food	745
Street cars	392, 667
Undertaking establishments	273
Vehicles	667
Water craft	785
SANITARY ORDERS OF DIRECTOR OF HEALTH	668
SANITATION AND TRANSPORTATION, CHIEF OF:	
Cementerio del Norte—	
Administration	292, 294, 295
Monuments, trees, etc	304
Record of administration	294
Title papers to plots, etc	307
Dogs, impounded; disposition	23
Markets—	
Administration	593
Merchandise, manner of exposing	596
Stalls, changes in construction	599
Pound, supervision over	12
Poundkeeper, appointed by	13
Removal of condemned food	738
SANITATION AND TRANSPORTATION, DEPARTMENT OF:	
Animals, killing and disposition	902
Collection of excreta	672
Dogs, impounding	23
Garbage and rubbish, removal	691, 692
Officers of; police powers	30
SCARLET FEVER:	
Transportation of sick	778
SCHOOLS:	
Air space	239
Dangerous communicable diseases—	
Attendance by affected pupils	781, 782
Report	781
Expectoration in, forbidden	768
Size of water supply	251
SEALING, SIGNING, AND RECORDING OF ORDINANCES	5

SECONDARY BUILDINGS:	Section.
Defined	46 (c)
SECOND-HAND DEALERS:	
Lost or stolen goods; exhibit	571
Permit	569
Purchases from minors	626
SEIZURE:	
Unwholesome food	744
SERVICE WIRES:	344
SEWER CONNECTIONS:	
Applications for	92, 94, 95, 193
Permits	91
Void, when	93
With system	92-95, 193
SEWER SYSTEM:	
Receptacles permitted until installation of new	183
SEWERS:	
House—	
Condemnation	225
Inspection	190
Laying	191
Location	189
Slope	197
Injury to	651
Separate for each house	194
Space between, and water pipes	187
SHAFTS, AIR:	
Drainage	233
SHEDS:	
In district of strong materials	123 (c)
SHIPPING OFFICES:	
License	572, 573
Record; inspection	574
SHIPS:	
Report of disease on	780
Veterinary inspection	895 (a)
SHOOTING GALLERIES:	
License	576-578
Revocation	578
SHOW WINDOW:	
Defined	81
SHRUBBERY:	
Injury to	651
SHUTTERS, METAL	175, 176
SIDEWALKS:	
Around hydrants kept clear	261
Covered ways	829
Damage, repair of	830
Width and grade	115
SIGNALS:	
Public carriages	875
SIGNS:	
Erection, etc., fee for permit	108
Street car	387, 388
SINKS:	
Lining	219
SITES, BUILDING:	
Insanitary	792
Percentage of occupation	227, 228

SKELETON CONSTRUCTION:	Section.
Defined	82
SKINNING ANIMALS	800
SKYLIGHTS	174
SLAUGHTERHOUSE, PUBLIC	917-923
Animals—	
Admission	919
Period to remain in	919
Purchase or sale by employees	923
Fees	921
Marking of meat	742
Superintendent—	
Duties	918
Purchase or sale of animals	923
Resistance or obstruction	922
Veterinarians—	
Decision final	920
Inspection	895 (k)
Resistance or obstruction	922
SLAUGHTERING:	
Where done	917
SLEEPING ROOMS:	
Air space	239
SLOT MACHINES:	
License	579, 580
Posting	579
SMALLPOX:	
Captains of water craft, report	780
Transportation of sick	778
Vaccination	773
SMOKE:	
Nuisance	809 (l)
SMOKESTACKS:	
Construction	433
SOAP BOILING:	
Offensive	799
SOAP MAKING:	
Permit	536
SOIL PIPES	198
Passing through walls	199
Size	196
SOILS:	
Loading	140
SOLDIERS, DECEASED:	
Transportation of bodies	289
SPAIN, BRIDGE OF:	
Watchman, street railway	384, 385
SPANISH LANGUAGE	3
SPECIFICATIONS, BUILDING	101-103
SPEED LIMIT ON STREETS	390, 391, 636
SPRINKLING BREAD	719
STABLES:	
Air space	913
Boarding. (See BOARDING STABLES.)	
Cleaning	667
Concreting	670, 671
Disinfecting	908
Drains	915
Flooring	914
Infected, regulations	906

STABLES—Continued.	Section.
Lime washing	916
Livery. (<i>See</i> LIVERY STABLES.)	
Nuisance, when	809 (<i>g</i>)
STAGNANT POOLS:	
Drainage and filling in	793
STAIR HALL:	
Defined	60 (<i>b</i>)
STEAMBOATS:	
Water supply, charges	257
STEEL	136
Factors of safety	139
STERILIZED WATER:	
Use in public places	756
STOCKYARDS:	
Permit	536
STONE	128
Dressing on public property	825
Factors of safety	139
Throwing on streets	642
STORAGE OF INFLAMMABLES OR EXPLOSIVES	426
STORY:	
First, defined	54
Height, defined	63
STREAMS:	
Drainage into	752
STREET ADVERTISING:	
License	460, 461
Permit	855
STREET CARS:	
Aged persons, etc., entering or leaving	405
Attached together	389
Bundles, objectionable, carriage	404
Cleaning and painting	392, 667
Conductors' duties	401-405, 409
Distance between	398
Dogs, carriage prohibited	408
Employees, smoking on	406
Expectorating in	393, 768
Fenders	382, 383
Gamecocks, carriage of	408
Gongs	397
Headlights	386
How stopped	409
Notice forbidding expectoration, etc.	393
Numbering	387
Passengers	407-412
Carrying dogs	408
Carrying gamecocks	408
Carrying objectionable bundles	404
Intention of becoming	407
Leaving cars	409, 410
Stopping cars	409
Placing feet on seats	393
Platforms, guarding	381
Railway crossings, precautions	401
Regulations	380-393
Running boards, raising of	381
Safety guards	382, 383
Signs	387, 388

STREET CARS —Continued.	Section.
Speed	390, 391
Stopping	399-401
Women or children, entering or leaving	405
STREET LINE:	
Defined	83
STREET RAILWAYS:	
Crossings	401
Employees, smoking on cars	406
Employees' obligations	394-406
Collisions	395
Gong, ringing	396, 397
Injury to other vehicles.....	394
Stopping cars	394
Interference with use of streets.....	843
Malabon line, leaving cars on left side.....	410
Obstruction	640, 641, 845
Owners' obligations	380-393
Passengers' obligations	407-412
Tracks, grading	843
Transfers	403, 411, 412
Watchman, Escolta	384, 385
STREETS:	
Arcades	117
Barbed wire	644, 645
Barbering on	858
Begging on	856
Carriage of explosives through.....	832, 833
Carriage of offensive substances through.....	831, 835
Congestion of traffic.....	839
Cooking on	856
Coolies, use of sidewalk.....	857
Covered ways	829
Danger lights	828
Depositing rubbish in	851
Dressing building material upon	825
Encroachments upon	824
Excavations—	
Danger lights	828
Electrical installations, proviso	332
Permits	90
Firearms, firecrackers, etc.....	646
Games in	635
Grading or paving, permit.....	852
Grading of railway tracks.....	843
Injury to	651
Interference with poles, wires, etc.....	650
Kept clear	815
Lights at obstructions	822
Lines and grades	112-120
Fees for establishing	120
Mortar beds	827
Noncompliance with permit to use.....	817
Obstructing	635
Obstructions—	
Fences around	822
Lights at	828
Permit	850
Railway cars	845
Removal	818-820

STREETS —Continued.	Section.
Occupancy for building	824-830
Offensive substances, deposit in; nuisance.....	809 (<i>n</i>)
Parades on—	
Advertising	855
Circus	854
Pipes and conduits, permit for laying	847
Plans for, on undivided property	119
Projections over	117
Racing	637
Railway cars, standing on.....	846
Right of way	842, 844
Rule of the road	841
Sale of horses or vehicles on.....	853
Sidewalks, repair of damage to.....	830
Speed limit	636
Storage of materials	826
Permit	849
Street railways—	
Obstruction of passage	845
Use by	843-846
Throwing stones	642
Throwing water into	643
Unauthorized use, damage	816
Undermining, permit	848
Use by vehicles	836-842
Use of, fee for permit.....	108
Vehicles blocking	890
Washing on	856
Width, how determined	118
STRESSES:	
Calculation	138
STRONG-MATERIAL BUILDINGS:	
Defined	46 (<i>a</i>)
STRONG MATERIALS, DISTRICT OF.	
(<i>See</i> DISTRICT OF STRONG MATERIALS.)	
STRUCTURAL MATERIAL:	
Calculation of stresses	138, 139
Tests	137
STUD PARTITIONS	153
Incombustible, defined	66
SUCKLING PIGS:	
Slaughter	917
SUGAR, REFINING:	
Permit	536
SURRA:	
Report of cases	905
SWINE:	
Keeping of, nuisance, when	809 (<i>g</i>)
Yarding	800

T.

TALLOW, BOILING:	
Offensive	799
Permit	536
TANKS:	
Closing	754
Flushing	220
Water	173
Water supply, charges.....	257

TANNERIES:	Section.
Permit	536
TAPPING DRAINAGE PIPES	200
TAPPING ELECTRIC CURRENT	649
TAR:	
Manufacture, permit	536
Storage and license	493-496
TARIFF CARD:	
Vehicles, exhibition	872
TATTOOERS:	
License	581, 582
Approval of	581
TAVERNS:	
(See HOTELS.)	
TAXIDERMY	912
TELEGRAPH SERVICE:	
Fraudulent use	649
Supervision by city electrician	315
TELEPHONE APPARATUS:	
Inspection, fee	324
TELEPHONE COMPANIES:	
Placing of lines	338
TELEPHONE SERVICE:	
Discrimination	376
Fraudulent use	649
Order of	377
Supervision by city electrician	315
TELEPHONE WIRES:	
Metallic circuit	346
On same pole as power wires	349
Protection	350
Size	347
TENEMENT HOUSES:	
Bathrooms	702
Counting of occupants	705
Defined	699
Inspection	709
Kitchen, sleeping in	706
License	700
Overcrowding	704, 705, 707
Rooms, size of	703
Sanitary maintenance	708
Water-closets	702
THEATERS:	
Aisles	413 (k)
Keeping clear	416
Construction	413
Curtains—	
Fireproof	413 (i)
Proximity to footlights	413 (h)
Doors	413 (d)
Electric circuits	413 (p)
Exits—	
Audience hall	413 (c)
Galleries	413 (c)
Keeping clear	416
Number	413 (b)
Signs	418

THEATERS —Continued.	Section.
Fire apparatus	413 (g), 415
Fire department, inspection by	419
Fire walls	413 (g)
Firemen, detail	419
Floors	413 (m)
Frontage on street	413 (a)
Lobbies	413 (c)
Manager's duties	414-419
Permits	583, 584
Salida, signs	418
Seats	413 (j)
Size of water connections	251
Skylights	413 (l)
Smoking	417
Stairways	413 (f)
Steam boilers	413 (n)
Ventilator shafts	413 (l)
Water pipe	413 (o)
THICKNESS OF WALL:	
Defined	86 (i)
THREATS	628
THROUGH LOT:	
Defined	48 (c)
TIE RODS	158
TIMBER:	
Factors of safety	139
Tests by Bureau of Forestry	139 (l)
TOMBS, UNSEALED OVERGROUND	285
TRADES:	
Licenses. (See LICENSES.)	
Offensive. (See OFFENSIVE TRADES.)	
Permits. (See PERMITS.)	
TRANSFERS, STREET RAILWAY	403, 411, 412
Unlawful use	411, 412
TRANSFORMERS:	
Location	345
TRANSPARENCIES:	
Advertising, display on streets	855
TRANSPORTATION OF DEAD:	
By military authorities	289
Fees	289
TRANSPORTATION OF SICK	778
TREES:	
Public, injury to	651
Trimming for electric wires	351
TROLLEY WIRES:	
Height	341
TRUCKS:	
(See CARTS, PUBLIC.)	
TRUSSES	161
TUBERCULOSIS:	
Report	766
Test	747
Sanitary regulations, observance by sick	767
Spitting	768
TURPENTINE:	
Manufacture, permit	536
Storage and license	493-496

U.

UNDERGROUND CONNECTIONS:	Section.
Application for	92
UNDERTAKERS:	
Embalming, duties	270
UNDERTAKING ESTABLISHMENTS:	
Disinfection	273
Inspection	274
Maintenance, etc	273
UNITED STATES FLAG:	
Use for advertising prohibited	627
UNITED STATES GOVERNMENT:	
Explosives, use by	496
UNSAFE OR UNWHOLESOME FOODS:	
Destruction	777
Sale forbidden	735, 741
Seizure	744
UNSAFE STRUCTURES:	
Condemnation proceedings	241
URINALS, PUBLIC:	
Advertisements attached	686
Defacing	686
Flushing	216
URINE:	
Irrigation with, prohibited	739

V.

VACCINATION	773
VAGRANCY	620
VAGRANT:	
Defined	620
VARIOLOID:	
Vaccination	773
VARNISH:	
Manufacture; permit	536
VAULTS:	
Defined	84
Emptying of dead	287
For reception of dead, inspection.....	274
(See also CESSPOOLS.)	
VEGETABLES:	
Irrigations with foul substances	739
Sale, permits	500, 501
Unsafe, destruction, etc	777
VEHICLES:	
Alignment along curbs.....	837
Allowed on Luneta	859
Disinfection	779, 895 (h)
Drivers—	
Name, etc., on demand	866
Qualifications and duties	865
Report of misconduct	867
Lights	864
Owners' duties	863
Police supervision	836
Public—	
Blocking public way	890
Ceasing to be public, removal	888
Complaints and disputes	892

VEHICLES—Continued.

Public—Continued.

Section.

Construed	870
Damage, responsibility	893
Drivers, license and tariff card	872
License	558, 559
Suspension of	889
Not licensed, unlawful use	887
Number—	
Removal	888
Unlawful use of	887
Parcels left in	891
Regulations, enforcement	894
Stations	881
Unserviceable	889

(See also CARRIAGES, PUBLIC.)

Removal of noxious substances, cleaning	677
Right of way	842, 844
Rule of the road	841
Sale in streets	853
Transportation of garbage, construction	694
Transporting offensive substances.....	831, 835
Use of sidewalks prohibited	838
Washing on streets	856
Without animals attached	840

VENEER:

Defined	85
---------------	----

VENT PIPES:

Connections	205
Run separately	204
Sizes	206

VENT SHAFTS:

For workshops, etc	230
--------------------------	-----

VENTILATION:

Air intakes	232
And drainage, lack of; nuisance	809 (a)
Buildings	227-239
Stables	913
Under floors	231
Ventilators	174

VERMIN:

Destruction	769
-------------------	-----

VESSELS:

Carrying explosives	428
Disinfection	779
Privy accomodations	786
Sanitary maintenance	785

VETERINARIANS:

Animals—

Condemnation and cremation	895 (f)
Condemnation, protests against	901
Entering Manila, prohibition	895 (d)
Landed for cremation	895 (j)
Quarantine	895 (e)
Removal from Manila	895 (g)
Authority	895
Dangerous communicable diseases, report of cases	905
Disinfection, vehicles, etc.....	985 (h)
Entry of premises	895 (c)
Farcy, report of cases	905
Glanders, report of cases	905

VETERINARIANS—Continued.

Inspection—	Section.
Animals brought to Manila	895 (b)
Animals entering Manila	898, 899
Cold storage	895 (l)
Fees	895 (i)
Water craft	895 (a)
Slaughterhouses, decision final	920
Surra, report of cases	905
VIOLENCE, PERSONAL	628
VITAL STATISTICS:	
Preparation	789
VOLTAGE:	
Limit	342

W.**WAGONS.**

(See CARTS, PUBLIC.)

WALKS, PUBLIC:

Injury to	651
-----------------	-----

WALLED CITY:

Speed of street cars	391
----------------------------	-----

WALLS:

Buttressed	146
Composite	147, 148
Construction or repair, prohibition	31
Defined	86
Filling	147
Height of, defined	62
Masonry bearing	145
Public, injury to	651
Wall plates	162

WAREHOUSES, PUBLIC:

Defined	585
Licenses	586, 587

WASHING:

Clothes, horses or vehicles on streets	856
--	-----

WASTE PIPES:

Material and construction	195
---------------------------------	-----

WATCHMEN, STREET RAILWAY:

Stations	384, 385
----------------	----------

WATER:

Drainage	752
Estero, use of prohibited	789
Hot, in barber shops	730
Impure; nuisance	809 (f)
Obstruction of drainage	790
Pipes, injury to	651
Public fountains, method of taking from	657
Rain, leaders	222
Stagnant, nuisance	809 (h)
Sterilized, use in public places	756
Supplies and sources, supervision	757
Tanks	173
Throwing into streets	643
Well	753

WATER, AERATED:

Source of supply	732
------------------------	-----

WATER-CLOSETS:

Accommodations	681
Approval of design	674

WATER-CLOSETS—Continued.

	Section.
Condemnation	673
Connections	218
Construction of inclosure	680
Design, approval of	674
Flushing	216
Foreign substances	678
Insanitary	675
Prohibited	217
Public, location	682
Removal of contents, precautions	676
Sanitary maintenance	679
Tenement and lodging houses, hotels	702
Water craft	786
Where placed	215

(See also LATRINES, PUBLIC.)

WATER CONNECTIONS:

Applications for	92
Permits	91
Void, when	93

WATER CRAFT:

Carriage of noxious substances	787
Disinfection	779, 895 (h)
Privy accommodations	786
Report of diseases on	780
Sanitary maintenance	785
Veterinary inspection	895 (a)

WATER SUPPLY

Charges	255-257
Concessions, restrictions	253
Connections—	
Applications for	250
Sizes of	251
Consumers, rules governing	248-260
Consumption, restrictions	260
Contamination	758
Damage to property of	658
Expenses	252
Hydrants—	
Fire, private	258
Post, repair, etc.	261
Lead pipes, class and weight	186
Meters—	
Breaking seal	659
Inspection	254
Reading	255
Repairs	249
Sealing by	249
Under control of	249
Payments quarterly	259
Pipes, inspection	188
Pipes, etc., placed under inspection of	252
Plans, filed with engineer	181
Provisions applicable to, territory	759
Stoppage	259, 260
Superintendent of—	
Meters	249, 254, 255
Pipes, testing	185
Repair of hydrants	261
Supply of boats, etc	257
Unauthorized connections	659

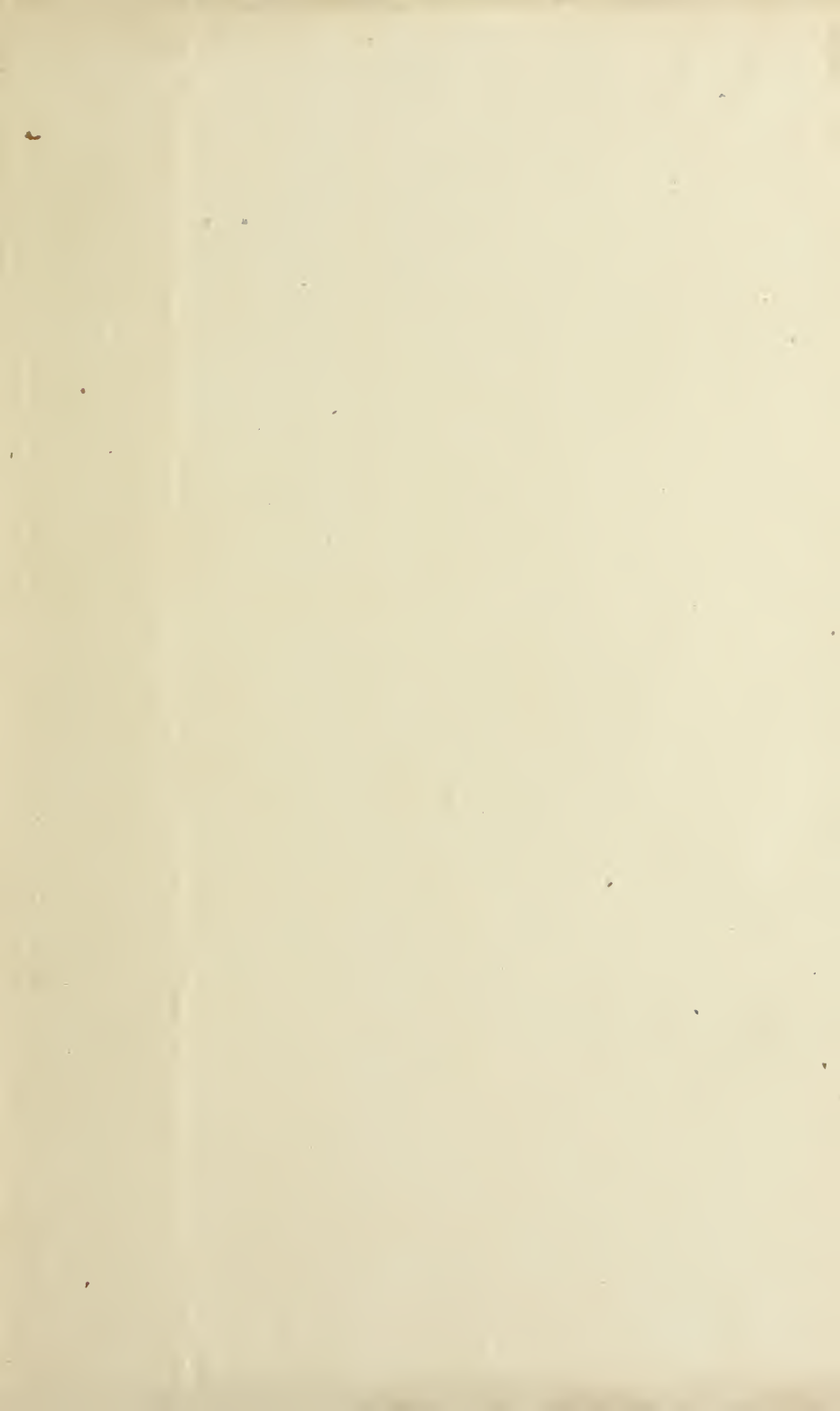
WATER SUPPLY —Continued.	Section.
Underground pipes	185
Space between and sewers	187
WATERWAYS:	
Deposit of noxious substances in	787
Obstruction	784
WEAPONS:	
Discharge on streets	646
WELLS:	
Authorized	753
Cesspools, proximity to	674
Closing of	754
Drainage into	752
Sinking	755
Water, use forbidden, when	753
WHISTLES, STEAM:	
Blowing	632-634
WIDTH OF BUILDING:	
Defined	87
WIDTH OF STREETS	118
WINDOWS:	
Area of	236
Number	235
WIRE, BARBED	644, 645
WIRES, ELECTRIC:	
Additional loading	335
Cabling	348
Condemnation	316-319
Crossing streets	339
Dead, removal	340
Defective, removal	318
Disconnection at fires	434
Distance apart	348
House fixtures, use	360
Interference with	650
Light and power lines, height	341
Metallic circuit	346
Number on poles	348
Power and telephone, etc., on same pole	349
Primary lines	344
Resistance	346
Roof structures, use	361
Service and outside	344
Size	347
Stringing, supervision over	315, 316
Telephone protection	350
Trees, trimming for	351
Trolley, height	341
Voltage	342
WORKSHOPS:	
Air space	239
Vent shafts	230
WROUGHT IRON	134
Drainage pipes, size and weight	209

Y.

YARD:	
Defined	88
YARDING CATTLE OR SWINE	800

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